

Roy Heap, St. Marys.
Nellie S. Wilson, Somerset.
Arden E. Holly, Woodville.

OKLAHOMA

Manford Burk, Hooker.

HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 23, 1931

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in Heaven, we thank Thee for the words, "Cast your care upon God, for He careth for you." Impress us that abiding happiness is not only a possibility but a duty. That we can live above fret and worry are realities in human experience. O keep us from that which lowers the level of life and breeds confusion, for "though the earth be removed and though the mountains be carried into the midst of the sea" we need not fear because God is our Father and He will not permit any permanent ill to befall His children. Continue to endow us with good health and a high average of thought and with all those virtues that make life worth while. To-day and every day help us to live trustful, tranquil lives, meeting storm with calm, adversity with fortitude, defeat with faith, and may we always have a place in the everlasting arms. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 15592. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1931, and for prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1931, and for other purposes.

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. GARNER. Mr. Speaker, may I propound a parliamentary inquiry?

The SPEAKER. The gentleman will state it.

Mr. GARNER. Is the Interior Department appropriation bill in the House or in the Senate?

The SPEAKER. The Interior Department appropriation bill is on the Speaker's table.

INVALID PENSIONS

Mr. NELSON of Wisconsin. Mr. Speaker, I call up the bill (H. R. 15930) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, and I ask unanimous consent that this bill be considered in the House as in Committee of the Whole. This is the omnibus pension bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The Clerk read the bill.

This bill is a substitute for the following House bills referred to this committee:

H. R. 1534. Rebecca H. Cook.	H. R. 11741. Susan Barlow.
H. R. 1555. Anna Brubaker.	H. R. 11944. Mary P. De Witt.
H. R. 2712. Mattie Fields.	H. R. 12180. Mary Jane Phum-
H. R. 4987. Lillie A. Green.	phrey.
H. R. 6669. Justina A. Zeller.	H. R. 12421. Ella Ellis.
H. R. 6702. Phebe A. Hereld.	H. R. 12451. Sarah Frandle.
H. R. 7726. Lizzie Holzworth.	H. R. 12536. Elizabeth Powell.
H. R. 7907. Anna M. Noblitt.	H. R. 12558. Emma J. Williams.
H. R. 8719. Annie Garland.	H. R. 12699. Elise Scheuffer.
H. R. 10685. Sarah R. Rodkey.	H. R. 12702. Fannie C. Dwelle.
H. R. 10735. Lillie H. Rice.	H. R. 12731. Amanda C. Sowers.
H. R. 11245. Sarah C. Hubler.	H. R. 12752. Montry Miller.
H. R. 11655. Rosetta Hamilton.	H. R. 12767. Sarah J. Rowe.
H. R. 11740. Phoebe J. Hanes.	H. R. 12956. Hannah Andress.

H. R. 13097. Addie V. Gardner.	H. R. 13700. Nora A. Tufts.
H. R. 13113. Bettie Carr.	H. R. 13701. Emilie Umbreit.
H. R. 13120. Mary L. Baker.	H. R. 13705. Bulah Reddick.
H. R. 13243. Valdora V. Munson.	H. R. 13709. Anna S. Hogle.
H. R. 13287. Nancy Jane Crawford.	H. R. 13711. Amella Eisenbels.
H. R. 13317. Mary Ellen Mead.	H. R. 13712. Sarah Kidney.
H. R. 13318. Pearl Phillips.	H. R. 13729. Jennie M. McDermond.
H. R. 13319. Mary A. Mason.	H. R. 13731. Mary F. Lord.
H. R. 13323. Emeline Peck.	H. R. 13742. Inez M. Brigham.
H. R. 13334. Emily Connelly.	H. R. 13744. Permelia P. Cull.
H. R. 13335. Annie Roe.	H. R. 13745. Eliza S. Aber.
H. R. 13338. Asenath Carr.	H. R. 13750. Margaret S. Wood.
H. R. 13341. Martha Hawkins.	H. R. 13751. Effie Sullivan.
H. R. 13344. Catharine Stakebake.	H. R. 13752. Martishia D. Ivey.
H. R. 13348. Elizann Nice.	H. R. 13756. Jennie M. Hughes.
H. R. 13350. Martha A. Brown.	H. R. 13757. Malsina Brown.
H. R. 13352. Sarah E. Cassady.	H. R. 13758. Sarah P. Hawkins.
H. R. 13371. Badora E. Harlan.	H. R. 13760. Sallie Brown.
H. R. 13372. Margaret S. Myers.	H. R. 13762. Mary A. Cummings.
H. R. 13373. Rachel Yeager.	H. R. 13763. Mary F. Hively.
H. R. 13377. Minerva N. Hough.	H. R. 13768. Jane Tinkham.
H. R. 13378. Sarah R. Hurst.	H. R. 13770. Nancy A. Ware.
H. R. 13380. Julia Close.	H. R. 13780. Rachel Armstrong.
H. R. 13381. Martha E. Bloom.	H. R. 13781. Mary E. Appleby.
H. R. 13383. Emma Shank.	H. R. 13786. Mary J. Howard.
H. R. 13384. Elizabeth Beatty.	H. R. 13789. Louise Noblet.
H. R. 13385. Kate J. Ruff.	H. R. 13794. John Smith.
H. R. 13386. Mary L. DeBolt.	H. R. 13797. Mary E. McDole.
H. R. 13387. Annie Jane Michael.	H. R. 13802. Rosett H. Piper.
H. R. 13389. Hannah Bittner.	H. R. 13806. Martha McCracken.
H. R. 13396. Catherine Leake.	H. R. 13809. Mary C. Rose.
H. R. 13397. Caroline Leff.	H. R. 13811. Mary E. Gibson.
H. R. 13398. Mary E. Knisely.	H. R. 13827. Susanna Leggett.
H. R. 13400. Adaline Garber.	H. R. 13835. Mary C. Miller.
H. R. 13402. Harriet J. Gates.	H. R. 13837. Emily A. Whitson.
H. R. 13403. Mary Catherine Calhoun.	H. R. 13839. Christena Maxwell.
H. R. 13408. Augusta Draeger.	H. R. 13841. Esther A. Kelsey.
H. R. 13411. Julia A. Commons.	H. R. 13846. Melissa J. Blowers.
H. R. 13425. Phebe Simmons.	H. R. 13847. Emily E. Brashears.
H. R. 13433. Hannah L. Andrews.	H. R. 13861. Ella F. Buffum.
H. R. 13446. Anna Smith.	H. R. 13876. Eva P. Brown.
H. R. 13465. Pearl E. Essex.	H. R. 13881. Mary A. McCormick.
H. R. 13468. Susana Mann.	H. R. 13884. Mary Ellen Booth.
H. R. 13472. Sarah E. Atchley.	H. R. 13889. Hiram Andrews.
H. R. 13478. Mary J. Tryon.	H. R. 13895. Sarah H. Dow.
H. R. 13479. Julia Wing.	H. R. 13901. Nellie K. McBee.
H. R. 13480. Mary E. Earll.	H. R. 13907. Irvin R. Rose.
H. R. 13482. Emma G. Lewis.	H. R. 13908. George Washington.
H. R. 13484. Emma Adams.	H. R. 13909. Elizabeth Warmbrodt.
H. R. 13485. Ida V. Forbes.	H. R. 13911. William H. Hauenstein.
H. R. 13490. Amelia M. Ransom.	H. R. 13918. Susie Tucker.
H. R. 13496. Sarah Phillips.	H. R. 13922. Mary B. Bybee.
H. R. 13498. Maggie E. Kulp.	H. R. 13928. Mary E. Townsley.
H. R. 13500. Ella Coffey.	H. R. 13929. Lucy E. Black.
H. R. 13508. Delphine Le Comb.	H. R. 13930. Lucinda Thompson.
H. R. 13511. Elizabeth Brown.	H. R. 13936. Frances M. Turney.
H. R. 13589. Josephine Allison.	H. R. 13938. Hannora Keley.
H. R. 13592. Sarah E. Rich.	H. R. 13939. Hannah E. Frisbie.
H. R. 13593. Sarah E. Johnson.	H. R. 13941. Rebecca Ettinger.
H. R. 13594. Amanda E. Dunning.	H. R. 13943. Hulda Frances Rogers.
H. R. 13595. Scymantha E. Cremeens.	H. R. 13956. Maggie Bowdre.
H. R. 13596. Clarissa J. Barber.	H. R. 13959. Emma Pilate.
H. R. 13598. Dorothea Wunderlich.	H. R. 13962. Ella S. Outcalt.
H. R. 13599. Nancy A. Fowler.	H. R. 13972. Sarah E. Trunk.
H. R. 13600. Ida M. Yetman.	H. R. 13973. Jerusha A. Babbitt.
H. R. 13602. Emma Snook.	H. R. 13975. Nancy A. Douglass.
H. R. 13604. Rebecca B. North.	H. R. 13981. Maggie Rilea.
H. R. 13606. Rachel Fitzgerald.	H. R. 13987. Anise Buchanan.
H. R. 13609. Margaret J. Hoover.	H. R. 13993. Rose M. Johnson.
H. R. 13614. Asaneth Geho.	H. R. 14006. Louisa R. Delbert.
H. R. 13621. Caroline Fesler.	H. R. 14017. Josephine J. McCracken.
H. R. 13628. Melvina J. Rhodes.	H. R. 14088. Florence L. McMechan.
H. R. 13629. Rebecca J. Threlkeld.	H. R. 14092. Effie E. Milton.
H. R. 13630. Laura L. Flickinger.	H. R. 14093. Roeana M. Bass.
H. R. 13632. Lucinda Clevenger.	H. R. 14096. Persis A. Miller.
H. R. 13633. Mary C. Kessler.	H. R. 14097. Jennie Wainer.
H. R. 13666. Sarah E. Bullock.	H. R. 14098. Sabina O. Davis.
H. R. 13668. Sarah E. Cannon.	H. R. 14099. Martha J. Patterson.
H. R. 13670. Charlotte Fowles.	H. R. 14100. Elizabeth Snider.
H. R. 13671. Loretta J. Haines.	H. R. 14102. Mary A. C. Liston.
H. R. 13672. Louise Sergel.	H. R. 14107. Ellen H. Lincoln.
H. R. 13673. Elizabeth McCoy.	H. R. 14111. Marion A. Mack.
H. R. 13677. Arlina F. DeLaplain.	H. R. 14114. Marie Louise Bellrose.
H. R. 13678. Ann S. Shephard.	H. R. 14117. Emma M. Brown.
H. R. 13679. Jane McDowell.	H. R. 14118. Clara H. Stultz.
H. R. 13680. Ida M. Rundlett.	H. R. 14121. Ida M. King.
H. R. 13681. Lizzie Buttles.	H. R. 14128. Matie L. Frisbie.
H. R. 13686. Zachariah T. Iler.	H. R. 14149. Laura B. Norris.
H. R. 13688. Hattie Brougham.	H. R. 14177. Agnes Taylor.
H. R. 13690. Mary E. Wemple.	H. R. 14178. Harriett Davis.
H. R. 13691. Amanda F. S. Ward.	H. R. 14182. Malinda J. Willis.
H. R. 13692. Mary Gutman.	

H. R. 14183. Mary A. Royster.
 H. R. 14184. Emaline Williams.
 H. R. 14185. Hannah Mandrell.
 H. R. 14189. Martha J. Cole.
 H. R. 14206. Mary Key.
 H. R. 14208. Nancy Catherine Fry.
 H. R. 14209. Mary E. Davis.
 H. R. 14212. Mary E. Bumgarner.
 H. R. 14217. Sarah E. Burroway.
 H. R. 14219. Sarah Hanna.
 H. R. 14235. Hannah Willey.
 H. R. 14283. Eliza A. Humiston.
 H. R. 14284. Serepta O. Pearson.
 H. R. 14292. Mary E. Stokes.
 H. R. 14293. Elizabeth Weigel.
 H. R. 14295. Ann E. Tracy.
 H. R. 14299. Catharine M. Hampton.
 H. R. 14306. Hannah Null.
 H. R. 14307. Malinda Wood.
 H. R. 14311. Emma L. Thompson.
 H. R. 14312. Loretta G. Welch.
 H. R. 14325. Margaret Freestone.
 H. R. 14326. Harriet L. Moon.
 H. R. 14327. Anna M. Wilson.
 H. R. 14328. Mary E. Person.
 H. R. 14336. Mary E. Pickard.
 H. R. 14337. Josephine A. Lothrop.
 H. R. 14340. Sarah L. Humes.
 H. R. 14342. Marian E. Champlin.
 H. R. 14356. Priscilla J. Smith.
 H. R. 14385. Clara E. Seaward.
 H. R. 14387. Emily Du B. Farmer.
 H. R. 14389. Sallie Frakes.
 H. R. 14391. Elizabeth Dowdell.
 H. R. 14396. Anna E. Bucklin.
 H. R. 14401. Mary A. Grubb.
 H. R. 14406. Allie L. Henkel.
 H. R. 14412. Sarah L. Hunt.
 H. R. 14421. Nellie M. Henry.
 H. R. 14422. Ellen Burke.
 H. R. 14465. Mary Hill.
 H. R. 14466. Minerva Orr.
 H. R. 14470. Pahanna Marker.
 H. R. 14471. Hannah C. Shiverdecker.
 H. R. 14481. Sarah C. McCulloch.
 H. R. 14493. Anna E. Whitmore.
 H. R. 14526. Jennie E. Lowden.
 H. R. 14534. Sarah J. Wyant.
 H. R. 14545. Ellen Whittington.
 H. R. 14588. Alice A. Grimes.
 H. R. 14634. Caroline Stiver.
 H. R. 14652. Sarah A. Burgess.
 H. R. 14654. Della Southerland.
 H. R. 14655. Harriett B. Donovan.
 H. R. 14711. Pauline White.
 H. R. 14712. Mary M. Rutty.
 H. R. 14716. Lucinda Hammond.
 H. R. 14722. Anna W. Hutton.
 H. R. 14744. Matilde G. Williams.
 H. R. 14745. Annie E. Miller.
 H. R. 14751. Harriet A. Beard.
 H. R. 14763. Flora J. Perkins.
 H. R. 14767. Sarah C. Ferguson.
 H. R. 14775. Mary D. Zoeller.
 H. R. 14795. Mary Kuney.
 H. R. 14826. Laura V. Kauffman.
 H. R. 14829. Maria C. Gallagher.
 H. R. 14837. Julia E. Spencer.
 H. R. 14849. Elizabeth Corbley.
 H. R. 14858. Helen J. Avery.
 H. R. 14859. Sally Stidman.
 H. R. 14861. Mary Jane Mott.
 H. R. 14863. Margaret E. Brammer.
 H. R. 14864. Clarinda Wolf.
 H. R. 14865. Mary M. Kimes.
 H. R. 14868. Sarah Keller.
 H. R. 14878. Clara M. Mossbrooks.
 H. R. 14888. Sarah Wood.
 H. R. 14890. Margaret McDowell.
 H. R. 14891. Mary E. Bailey.
 H. R. 14899. Gertrude M. Chapin.
 H. R. 14925. Elisabeth Hunter.
 H. R. 14933. Margaret McElfresh.
 H. R. 14942. Ellen B. Stewart.
 H. R. 14944. Rachel A. Booth.
 H. R. 14955. Lula K. Stout.
 H. R. 14957. Alice A. Phelps.
 H. R. 14975. Clarinda J. Gannon.
 H. R. 14976. Oraetta Bloomfield.
 H. R. 14979. Mary E. Mills.
 H. R. 15023. Hester A. Neal.
 H. R. 15027. Anna Marshall.
 H. R. 15040. Susan C. Harrison.
 H. R. 15044. Mary Moon.
 H. R. 15055. Sarah Anna Bethards.
 H. R. 15058. Eva A. Gill.
 H. R. 15061. Mary E. Lewis.
 H. R. 15096. Mary M. Congleton.
 H. R. 15099. Anna E. Hartman.
 H. R. 15109. Margaret E. Bledsoe.
 H. R. 15110. Alice S. Sanders.
 H. R. 15114. Samuel A. Lawson.
 H. R. 15120. Emily L. Hagen.
 H. R. 15153. Nellie Greenamyre.
 H. R. 15179. Sarah J. Hastings.
 H. R. 15202. Lucenda S. Chase.
 H. R. 15219. Emma L. Quackenbush.
 H. R. 15220. Maggie Kinart.
 H. R. 15248. Sarah E. Koehler.
 H. R. 15319. Elizabeth Saxer.
 H. R. 15330. Harriet N. Furman.
 H. R. 15331. Lois F. McKee.
 H. R. 15336. Pluma A. Wilber.
 H. R. 15473. Sarah Ellen Knowles.
 H. R. 15482. Margaret C. Hitchcock.
 H. R. 15575. Manerva S. Quigley.
 H. R. 15690. Maria R. Horton.
 H. R. 15715. Sarah Hayter.

Mr. NELSON of Wisconsin. Mr. Speaker, I offer three amendments which I have sent to the Clerk's desk. The amendments simply concern pensioners who have died while the bill was being prepared.

The SPEAKER. The gentleman from Wisconsin [Mr. NELSON] offers three amendments, which the Clerk will report.

The Clerk read as follows:

Amendments by Mr. NELSON of Wisconsin: Page 14, strike out lines 23, 24, and 25; page 15, strike out lines 1 and 2; page 36, strike out lines 9 to 12, both inclusive.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. NELSON of Wisconsin, a motion to reconsider the vote by which the bill was passed was laid on the table.

LOIS CRAMTON

Mr. NELSON of Wisconsin. Mr. Speaker, I call up the bill (H. R. 12023) to repeal the provision of law granting a pension to Lois Cramton, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

Mr. STAFFORD. Reserving the right to object, will the gentleman let that go over until some other time so that we may have occasion to consider it?

Mr. NELSON of Wisconsin. May I explain it?

Mr. STAFFORD. Has it been printed?

Mr. NELSON of Wisconsin. Oh, it has been on the calendar a long time and it has been delayed. I will explain it to the gentleman. It is a small bill. This woman, Lois Cramton, was given a pension under a state of facts, such as the committee thought they were, but the commissioner has written a letter to the Speaker to the effect that she was not really his widow and has asked what action, under those circumstances, the committee desired to take. We at once, of course, decided to repeal that provision and it has been pending a long time. It should be taken care of.

Mr. STAFFORD. I have no objection to the consideration of a bill to remedy a fraudulent imposition upon the Government.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That so much of the act entitled "An act granting pensions and increase of pensions to certain soldiers, sailors, and marines of the Civil War and certain widows and dependent children of soldiers, sailors, and marines of said war," approved February 13, 1929, as reads, "The name of Lois Cramton, widow of Alonzo Cramton, late of Company I, Eighth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of \$30 per month," is hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

THE CAPPER-KELLY FAIR TRADE BILL

Mr. CLARK of Maryland. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD regarding the bill (H. R. 11) known as the Capper-Kelly bill and to include therein three brief letters.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CLARK of Maryland. Mr. Speaker, in accordance with the right given to extend my remarks in the RECORD, I desire to expose a most misleading statement made against the Capper-Kelly fair trade bill by Mr. B. H. Namm, head of the Namm Department Store, of Brooklyn, N. Y., and chairman of the committee of the National Retail Dry Goods Association, formed to oppose the Capper-Kelly bill.

In a publication of which hundreds of thousands have been issued, Mr. Namm says:

A REPUTATION

Public statements have been made that England has gone in for price fixing. These statements are now refuted by the following letter:

SELFRIDGE & Co. (LTD.),
 London, July 8, 1930.

B. H. NAMM, Esq.,
 President The Namm Store, Brooklyn, N. Y.

DEAR MR. NAMM: I hasten to answer your letter of June 25 and to say that the price-fixing legislation was proposed here before Parliament, but it was an unpopular measure and was dropped. We have nothing of the kind here, and I hardly think that even the socialistic government will undertake to press for it.

If I were a merchant in America at the moment, I should fight with all my strength against anything of the kind being introduced into America. The less interference with business on the part of governments the better.

Yours very truly,

H. GORDON SELFRIDGE.

The Namm Store is opposed to price fixing because it will raise the cost of living and eliminate competition among retailers. We ask the shopping public of Brooklyn to join us in this fight for price freedom.

August 20, 1930.

B. H. NAMM,
 President The Namm Store, Brooklyn, N. Y.

This statement concerning the English law on the subject of resale-price control came to the attention of Dr. Crighton Clarke, of the New York bar, who knew the true facts and wrote Mr. Selfridge under date of October 27, 1930, as follows:

OCTOBER 27, 1930.

H. GORDON SELFRIDGE,
President Selfridge & Co. (Ltd.), London, England.

DEAR MR. SELFRIDGE: Your reputation for fair dealing is so widely recognized that I am sure you will join in condemning the efforts of Col. B. H. Namm, of The Namm Store, Brooklyn, N. Y., first to mislead you, and having succeeded in that deception, to employ you as a means of misleading others.

I refer you to your letter of July 8, 1930, addressed to B. H. Namm, Esq., president The Namm Store, Brooklyn, N. Y., reading as follows:

"I hasten to answer your letter of June 25 and to say that the price-fixing legislation was proposed here before Parliament, but it was an unpopular measure and was dropped. We have nothing of the kind here, and I hardly think that even the socialistic government will undertake to press for it.

"If I were a merchant in America at the moment, I should fight with all my strength against anything of the kind being introduced into America. The less interference with business on the part of governments the better."

You have in England an association known as the Proprietary Articles Trade Association, which is referred to usually as P. A. T. A. The principal purpose of this association is to prevent the sale of trade-marked or branded articles by unscrupulous retailers at prices below their ordinary or established price for the purpose of luring customers away from other retailers who are selling those articles at the regular price, the practice of the price cutter being to average up his loss or his lack of profit on the cut-price sale by selling other articles whose value is unknown at an exorbitant rate of profit.

Is it fair and honest for Mr. Namm to use your statement that "price-fixing legislation was proposed here before Parliament, but it was an unpopular measure and was dropped. We have nothing of the kind here," when the fact is that the system, and the only system, proposed by the Capper-Kelly bill is legal in England, has never been successfully challenged, and has been enforced there for many years?

Your letter to Mr. Namm has been reproduced by him either with or without your consent and given wide publicity. Your letter states that it is in answer to a letter from Mr. Namm dated June 25, but Mr. Namm has not seen fit to publish his letter to you.

The evident purpose of Mr. Namm in widely publishing and distributing your letter to him of July 8 is to use your esteemed name to create adverse sentiment in this country against the so-called Capper-Kelly fair trade bill, H. R. 11, the sole purpose and effect of which is to extend freedom to the manufacturers and distributors of certain types of trade-marked or branded goods to make valid contracts by which the manufacturer shall stipulate the price at which the dealers or distributors shall resell the product bearing his trade-mark.

CRIGHTON CLARKE.

Mr. Selfridge, in his reply to Doctor Clarke under date of November 10, 1930, said:

NOVEMBER 10, 1930.

DEAR MR. CLARKE: I have your letter of October 27, received this morning. As the head of a distributing house, I object to the fullest extent possible to any governmental interference which can possibly be avoided.

Of course, if a manufacturer makes a product and sells it only with the understanding that it be sold at a certain price, he has an entire right to do this, and we, as the distributors, may buy or not of these articles as we choose. Such a contract can be enforced between the producer and the one to whom he sells, and it is not an unfair demand, because if the distributor is not willing to maintain that contract he need not buy the merchandise.

Mr. Speaker, I submit that it is scandalous that misleading propaganda and bald misstatement concerning pending legislation should go unrebuked and unchecked. As Mr. Selfridge testifies, the law in England recognizes the right of resale-price control on trade-marked merchandise, which we are merely seeking to restore in the Capper-Kelly bill. It must be assumed that Mr. Namm is in a position to know the truth and that his misstatement concerning the English law and his construction of Mr. Selfridge's letter to him was a deliberate attempt to deceive the American public. I trust that every Member of the House will consider the methods used to oppose H. R. 11 when he comes to vote on this bill.

THE PROPOSED \$25,000,000 DOLE

Mr. TILSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Without objection it is so ordered.
There was no objection.

Mr. TILSON. Mr. Speaker, in the consideration of the Senate amendment that has been hitched on as a rider to the Interior Department bill, appropriating \$25,000,000 for food and other relief to be administered by the American Red Cross, all will agree that cases of actual want for the necessities of life must be dealt with in a manner be-

fitting a people already on a high plane of civilization. In one way or another the hungry must be fed, the naked must be clothed, and the sick must receive proper attention. Among thoughtful persons there is honest difference of opinion only in regard to what is the best and wisest method of doing these things.

There are those who seem to regard the Federal Treasury as a great reservoir of wealth coming from nowhere in particular, but inexhaustible, so that it may be drawn upon indefinitely and with impunity. They seem to regard any funds drawn from the Treasury as so much clear gain, as an up-to-date shower of manna fallen from Heaven, so that the more there is appropriated the better for all concerned. Those who hold this view, or at least act upon this principle, would have local communities, municipalities, and sovereign States dump their entire responsibility upon the broad shoulders of Uncle Sam, and withdraw from the field. Surely this would be the inevitable effect, for why should individuals, charitable organizations, local communities, municipalities, or States take upon themselves a heavy and unnecessary burden when by bringing pressure to bear upon Congress unlimited funds may be appropriated from an inexhaustible reservoir? Unfortunately the name of those who think thus superficially, if at all, is legion, and herein lies the danger of appropriating from the Federal Treasury for purposes heretofore considered as the proper field for benevolent and charitable institutions. What will be the effect upon such institutions? Will they become unnecessary or impotent? And most important of all, what will be the effect upon the beneficiaries themselves and upon our institutions as a whole? Once begun, where will it all end? These are serious and far-reaching questions that should be carefully considered and answered before rashly entering upon such a policy.

There is no proper place in our dual scheme of Federal and State Government for a system of doles from the Federal Treasury. Ours is a government of limited powers and duties, all else being properly left to the States and to the people. I believe with President Cleveland that there is—

No warrant for such an appropriation in the Constitution.

I agree with him when he says:

I do not believe that the power and duty of the general government ought to be extended to the relief of individual suffering, which is in no manner properly related to the public service.

I further agree with him that the—

Prevalent tendency to disregard the limited mission of this power and duty should be steadfastly resisted to the end that the lesson should be constantly enforced that though the people support the Government, the Government should not support the people.

It can not be successfully maintained as an excuse for now adopting the dole system that other proper means for dealing with present conditions have failed so as to make a dole from the Federal Treasury necessary. On the contrary, not only have local communities and municipalities successfully met the situation generally, but where for special and unusual reasons local communities can not fully cope with the problem presented, the American Red Cross has demonstrated its readiness and capacity to step into the breach and completely perform the functions for which it is so generously maintained by the American people. This great American institution in which the people of the whole world have unbounded confidence, is pleading for its very life when it voices its desire to be permitted to pursue unhampered its great mission as a voluntary agency. The Red Cross does not need the money. It does not desire it. No! There must be other reasons than necessity for the proposed departure.

There is not only no necessity for such a change of policy now, there is the certainty that such a course will do direct and positive harm. It will surely tend to dry up the proper and natural sources of income for our charitable organizations of all kinds and transform even the noble work of the Red Cross from that of an agency to carry out the warm-hearted aspirations of generous givers and change it into a semigovernmental agency, a bureau of the Government, for the distribution of a dole collected by the cold, clammy hand of the tax gatherer.

Apologists for the proposed appropriation may attempt to disclaim their purpose to establish a dole, but it will establish a policy that can mean nothing else. They may attempt to justify it as a form of unemployment insurance, which is a proper subject for the consideration of private industry and the States, but as applied to the Federal Government it can mean nothing but a dole. When Great Britain embarked upon the dole system, still in effect there, it was concealed to a certain extent by the disguise of labeling it unemployment insurance and nominally requiring contribution, but the law was never fully carried out. Long since the disguise has been dropped so that it is now a straight dole with no questions asked. Its effect upon that country, and especially upon unemployment, have been far from satisfactory.

Let me repeat that in the present crisis, as in all others, the wants of those in distress for the necessities of life must be supplied. Always in the past, and thus far at present they have been supplied. In my judgment there is no danger whatever that these wants will fail to be fully supplied without intervention of the Federal Government, and if there is such intervention it will not only not solve our present difficulties, it will involve us in other problems far more serious than those now confronting us. Let me close with another quotation from the famous drought-relief veto message of President Cleveland, in which I fully concur:

The friendliness and charity of our countrymen can always be relied upon to relieve their fellow citizens in misfortune. This has been repeatedly and quite lately demonstrated. Federal aid in such cases encourages the expectation of paternal care on the part of the Government and weakens the sturdiness of our national character, while it prevents the indulgence among our people of that kindly sentiment and conduct which strengthens the bonds of a common brotherhood.

INTERIOR DEPARTMENT APPROPRIATION BILL WITH SENATE AMENDMENTS REFERRED TO COMMITTEE

The SPEAKER. The Chair desires to make a statement at this time and wishes particularly the attention of the gentleman from Texas [Mr. GARNER] in view of the question which the gentleman from Texas propounded to the Chair a few moments ago.

The Interior Department appropriation bill with Senate amendments is on the Speaker's table. It is entirely within the discretion of the Chair what course should be taken with regard to the disposition of this bill. Ordinarily a request is made for unanimous consent to send such bills to conference at once. The other course is that the Speaker himself shall refer the bill to the appropriate committee. In view of the tremendous importance of the question arising under the Senate amendment providing for a \$25,000,000 appropriation to the Red Cross, in view of the request of the members of the Appropriations Committee that hearings should be had and that the Red Cross may have the opportunity of stating its position, the Chair is going to take the course of referring this bill to the Appropriations Committee, and refers the bill with Senate amendments to the Appropriations Committee and orders it printed.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAMTON. Mr. Speaker, it seems to me only proper that I should make this statement for the Appropriations Committee: That it is the desire of our committee, in connection with that important amendment, \$25,000,000 for relief work by the Red Cross, to hold a hearing that will properly develop the facts, a full and fair hearing, and without any desire for delay. That being the purpose of the committee, I will state that the hearings will begin as promptly as possible. I have not consulted with the representatives of the Red Cross, who, it would seem to me, should be the first witnesses at the hearing; but if it is convenient for them and feasible, it would be my thought that the hearing would begin at 10 o'clock to-morrow and would include such witnesses as could give us real information pertinent to that proposition.

Mr. GARNER. Will the gentleman yield for a question?

Mr. CRAMTON. I yield.

Mr. GARNER. I presume the gentleman from Michigan [Mr. CRAMTON] recalls that about a week or 10 days ago there was a bill being considered in the House known as the drought relief bill, appropriating \$45,000,000 for loans to farmers with which to purchase seed, fertilizer, and other things for farm purposes. The Senate put on an amendment increasing that amount by \$15,000,000 for the purpose of purchasing food. The gentleman from Michigan was on the floor of the House, or, if he was not, I may say we pleaded with the chairman of the Committee on Appropriations to take that bill back to the Committee on Appropriations, as this bill is going back, with an opportunity for a hearing and report. The statement was made repeatedly on the floor of the House, and I am not certain that the RECORD is clear yet, but I think the Speaker of the House of Representatives joined, in which it was stated that it was the universal custom in the House of Representatives, a custom that had not been varied from in possibly decades, to send a bill to conference without first sending it to the Committee on Appropriations to be considered and brought back and considered under the rules of the House of Representatives. Now, this precedent is made. It is a matter of considerable emergency at the present time whether this appropriation should be made now or not at all.

Is it the purpose of the gentleman's committee to delay this until he can ascertain some facts—a week, 10 days, or a month from now?

Mr. CRAMTON. Mr. Speaker, I will answer the gentleman frankly and directly. His statement as to what has been the practice heretofore is entirely correct. It has been the universal practice to send appropriation bills to conference without reference to the committee and it has been the universal custom of the Appropriations Committee to hold a hearing when such course was necessary to develop facts, even to hold a hearing without the reference of the bill to the committee.

The gentleman from Texas will probably remember that on the 13th day of last March, when a deficiency bill came back to this House that carried a Senate amendment of \$100,000,000 for the Farm Board, the gentleman from Texas, when consent was asked to send the bill to conference rather than to the committee, insisted that before the conferees took up their duties in conference they should develop the facts. The gentleman was assured by my colleague the chairman of the committee [Mr. WOOL] that the Committee on Appropriations would develop the facts, and that afternoon, and while the bill was still on the Speaker's table, a hearing was held, which was available to the Members of the House, although it was not printed, there being no demand for its printing. So the gentleman from Texas has not only been in accord with this general policy of sending a bill to conference and holding a hearing without the formality of a direct reference to the committee, but he has urged that it be done under such conditions.

As I understand, the effort of the Speaker is to meet the desires of those who want the facts properly developed and that he had assumed this course would find a great deal of favor with the gentleman from Texas.

Replying further, I will say that this is not a move of delay. There will be no unnecessary delay, but we do consider it of sufficient importance to insure a proper development of the facts.

Mr. GARNER. What does the gentleman mean by "unnecessary delay"?

Mr. CRAMTON. Well, for instance, if it is convenient and feasible for the Red Cross to appear before the committee to-morrow morning at 10 o'clock, the hearings will open at that time. I have not consulted with them and do not know whether that is possible or not.

Mr. GARNER. Will you be able to close the hearings to-morrow?

Mr. CRAMTON. I should presume not. I will say generally, so that the gentleman may fully understand our purposes, that this item is one which technically has no

place in the Interior Department appropriation bill. It is an item which we would more naturally expect to find in the deficiency bill. Of course, the members of the interior subcommittee will naturally be the conferees on the bill, notwithstanding the inclusion of this item, but in order that both sides of the aisle may have very full representation in those hearings, and that we may have hearings which will commend themselves most fully to the confidence of the House, it is my thought—and because of the absence of Mr. Wood, I am for the moment acting chairman of the general committee and acting chairman of the deficiency subcommittee, as well as the chairman of the Interior subcommittee—that the hearings be conducted jointly by the deficiency and Interior subcommittees. To that end I have consulted my colleague the gentleman from Tennessee [Mr. BYRNS], the ranking minority member of the full committee and the ranking minority member of the deficiency subcommittee, in order to ascertain if such a course would be agreeable to him. I am very glad to state that I have his assurance it will be agreeable to him, as we all have a great deal of confidence in his judgment.

Mr. GARNER. It occurs to me that as to a matter of so great importance—and one that is using a precedent that has not been used for 25 years—it would be well to have the entire Appropriations Committee, composed of 35 members, join in these hearings and get the full facts.

Mr. CRAMTON. The gentleman has spoken about delay, and yet he suggests that these hearings be held by the full committee of 35 members. I am suggesting one by a smaller number that will be expeditious.

Mr. GARNER. Whom else do you expect to hear outside of the Red Cross?

Mr. CRAMTON. It is a little soon for me to know. We want to get all the information we can, and some branches of the Government, I assume, will have information that will be helpful.

Mr. GARNER. What branches of the Government does the gentleman assume will have information that will be helpful? I am trying to find out if you intend to take this bill back to the Appropriations Committee for the purpose of keeping it there for 8 or 10 days, so that you may work out some other plan to relieve the suffering people in this country. That is what the press has reported, and I believe it to be a fact, that it is the deliberate intent to carry this bill back to the committee for the purpose of delay, when the people of this country are suffering.

Mr. CRAMTON. The gentleman has no right, even if he is the leader of the minority party, to make such a statement, in view of my assurance that that is not the purpose in holding these hearings. Let me remind the gentleman from Texas that this item of \$25,000,000, which can be justified, if at all, only on the basis that there is a real emergency, real suffering, and real need for haste, was put into this bill by the Senate, and after they had put it into this bill on that theory they continued to talk for three days about the bill. If the body that put this item in the bill on the basis of an emergency felt no more need of rush than to permit them to talk for three days thereafter, I think we are justified in having two or three days for a reasonable hearing to develop the facts.

Mr. RANKIN. Mr. Speaker, I make the point of order the gentleman is violating the rules of the House in attacking the Senate.

Mr. STAFFORD. Mr. Speaker, I demand the regular order.

Mr. RANKIN. I make that point of order, Mr. Speaker.

The SPEAKER. If the gentleman from Michigan were going to proceed further, the Chair would warn the gentleman to proceed in order.

REPORT OF THE NATIONAL COMMISSION ON LAW OBSERVANCE AND ENFORCEMENT

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for three minutes.

Mr. STAFFORD. Mr. Speaker, I withdraw the demand for the regular order.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, ladies and gentlemen of the House, I desire to call attention to an editorial published in this morning's New York World, reading, partly, as follows:

THE SMOTHERING OF THE REPORT

By a coincidence so ingenious that it might almost have been planned in advance, the Wickersham report was published in such a way as to misrepresent it. The coincidence, as we shall continue politely to call it, depended upon the mechanics of news distribution in the United States. On Monday about noon the papers of the country received by telegraph the official "summary" of the report. This "summary" was so arranged as to blazon forth three half truths, namely, that the commission is opposed to repeal, to the governmental sale of liquor, and to modification for light wines and beers.

The full text of the report did not become available even to editors living as close to Washington as New York City until early on Tuesday. It took some time to read and understand a complicated document 80,000 words long and to discover that the actual report showed that the official "summary" was untruthful. The effect, however, of giving the untruth, explicitly stated, about a day's head start over the truth, considerably concealed, was to establish a first and wholly false impression among the readers of newspapers of small circulation in small towns. The larger newspapers in metropolitan centers which had access to the whole report were allowed to find out by their own researches how overwhelmingly opposed to constitutional prohibition the report really is. It is now a question as to how fast the truthful second impression can catch up with and correct the untruthful first impression.

I submit, gentlemen, that this unfair, circuitous method of distributing this summary before the report appeared causes me to challenge the Rules Committee of this House to allow an examination into the causes of the method pursued by the White House in spreading this false summary far in advance of the report. Of course, any resolution of investigation we may introduce will never get by the Rules Committee, hidebound and hog tied as it is to the administration; and I say now, ladies and gentlemen of the House, it is incumbent upon the White House and upon the President to give out all the facts with reference to the promulgation and uttering and publishing of this utterly false summary, whose false "dryness" was emphasized by the President's words read in this House, which were quite contradictory to the actual and real conclusions of this Wickersham report.

In justice to the newspapers of this country which have given so much space to the dissemination of this report, something must be forthcoming from the White House in explanation, otherwise the White House stands condemned in the forum of public opinion.

JOINT PAY COMMITTEE

Mr. FRENCH. Mr. Speaker, I ask unanimous consent to proceed out of order for about three minutes to make a statement touching the report of the joint pay committee.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. FRENCH. Mr. Speaker, I have asked for a few moments of time within which to explain to the House the report that the joint pay committee of the Senate and House of Representatives to-day is making to the Congress. As Members will recall, this committee was named as a result of an act of Congress passed about one year ago, which in brief provided that a joint committee be appointed of five Members of the Senate and five Members of the House for the purpose of making an investigation and reporting recommendations by bill or otherwise to the respective Houses of Congress relative to the readjustment of pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service.

After extensive study your committee has decided to make a recommendation to the Congress directed to further study and examination of the problem and does not at this time feel justified in reporting a bill that would affect the subject.

Members of the Congress should bear in mind that the items under the several pay bills make an aggregate total to-day in excess of \$351,000,000 annually. Prior to the appointment of the joint pay committee an interdepartmental board made up of representatives of the several departments made an informal study of the subject and prepared a report recommending modifications in pay schedules that if accepted by the Congress would add between \$80,000,000 and \$90,000,000 annually to the officer and enlisted pay budgets for the several services. The aggregate pay for these several services, were the Congress to accept the recommendations, would run not less than from \$430,000,000 to \$440,000,000 annually. I mention these figures that the House may understand the magnitude of the problem. It must be borne in mind also that these figures do not have relation to expenditures for a single year, but they will become the annual expenditures for the several services until at some future date they may be modified by law.

After your committee had considered the problem for several months, it was clearly apparent to the committee that one of the major factors, if not the basic factor, was the question of promotion in the several services. Your committee found that there was wide and striking variations; that rank in one service that was supposed to be equivalent to rank in another service did not mean equal pay and allowances, because higher rank was attained years earlier in the lives of officers in one service than it was attained in another service. Your committee reported this situation to the Senate and the House nine months ago and suggested at that time that promotion legislation should go hand in hand with pay legislation or should precede it. Members of legislative committees were not in harmony upon this program, and so the joint pay committee pursued its studies further with the result that it is thoroughly convinced that until the promotion question may be settled the Congress will not be in position to enact adequate pay legislation. Promotion legislation should be determined in advance or in connection with legislation pertaining to pay.

Your committee, as a result of its studies, presents two recommendations which it earnestly trusts will commend themselves to the favorable consideration of the Congress. These recommendations are as follows:

1. That a joint committee, to be composed of Senators and Representatives elect to the Seventy-second Congress, be appointed to make an investigation and report as soon as practicable recommendations by bill or otherwise to their respective Houses relative to distribution in grade and promotion of commissioned personnel of the services encompassed by Public Resolution No. 36 (71st Cong.), and to continue with an investigation of the readjustment of the pay and allowances of the commissioned and enlisted personnel of the same several services and report recommendations by bill or otherwise to their respective Houses in consequence thereof at as early a date as may be practicable.

2. That the rules of the Senate and House of Representatives be amended to provide for a standing committee in each body which shall have exclusive jurisdiction of all legislation affecting the pay and allowances and the promotion and kindred matters of all commissioned and enlisted personnel of the several services encompassed by Public Resolution No. 36 (71st Cong.). (Membership on this committee to be of ex officio character without disturbing the rights of Members to serve or continue to serve on other committees.)

Probably I should say that the report of the committee in identical form is being presented in the Senate as well as in the House and it is my understanding that to avoid duplication in printing the report will be printed for the use of both bodies as a Senate document.

CONDITIONS GENERALLY AND THE PAY BILL

There is another factor that your committee could not avoid examining with greatest care. The last pay bill was enacted in 1922. This measure took the place of the pay law of 1908 which provided for most of the officers and men who are to-day involved. I have already indicated the magnitude of the figures that represent pay schedules—more than \$351,000,000 under the present law, with the different services urging increases that would bring the total annual expenditure to upwards of \$432,000,000 and possibly \$10,000,000 or more in excess of that amount. The urge for

new legislation, your committee found, was based largely upon prices of commodities and living expenses generally one year ago when viewed in contrast with prices and living expenses 25 years earlier.

Assuming that this must be a large factor in any pay legislation let us consider the trend:

The price index prepared by the Bureau of Labor Statistics shows that the price of commodities by wholesale in November, 1930, may be represented by 80.4 as against 98 in July, 1929. Here is a falling off of nearly 18 per cent. The prices of commodities are lower to-day than in any period since in March, 1916, or prior to the entrance of the United States into the World War. Between July, 1929, and November, 1930, raw materials have declined 22.5 per cent in price and finished products, 14.4 per cent.

The Alexander Hamilton Institute in its Business Conditions Weekly for December 27, 1930, says:

The year ends with . . . commodity prices at the lowest level in many years.

Your committee has tried to be fair in this matter, fair not only to the officers and men of the several services but fair to the public.

Reduction in commodity prices has modified the situation of one year ago enormously.

I believe I know what Members of this House think for I have talked with many of them. Were the question of pay of officers of the Army or Navy or other services above the ranks of second lieutenant and ensign offered to this body to-day, having in mind all the factors, cost of education generally borne by the Government, base pay and allowances, retirement pay, and all the opportunities for medical attention and privilege to purchase at commissaries, I am quite certain it would be doubtful if the membership would not vote to reduce rather than increase pay.

But here again an injustice might be done to officers. Conditions are abnormal. If living conditions were to drop to a point measurably below what they are to-day and to retain that constant level, reduction in pay rather than increase might be inevitable.

All in all it is the sound judgment of the committee that the matter should receive the further consideration of the Congress in line with the recommendations set forth in the committee's report. I thank you. [Applause.]

DEPARTMENTS OF STATE AND JUSTICE AND THE JUDICIARY, AND DEPARTMENTS OF COMMERCE AND LABOR APPROPRIATION BILL

Mr. SHREVE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 16110) making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1932, and for other purposes.

Mr. OLIVER of Alabama. Pending that, Mr. Speaker, since two provisions of the bill were passed over, should we not have some arrangement about the time?

Mr. SHREVE. I will say to the gentleman from Alabama, should not that be taken up when we reach it in the committee?

Mr. OLIVER of Alabama. I thought it could be done more orderly here. I think it would have been better yesterday if we had disposed of it in this way.

Mr. SHREVE. Then, Mr. Speaker, I ask unanimous consent that when we take up the items of representation allowances and post allowances, that there be allowed 40 minutes for debate, one-half to be controlled by the gentleman from Alabama [Mr. OLIVER] and one-half by myself.

The SPEAKER. Pending the motion, the gentleman from Pennsylvania asks unanimous consent that the time for debate on the two paragraphs relating to representation allowances and post allowances be limited to 40 minutes, one-half to be controlled by himself and one-half by the gentleman from Alabama [Mr. OLIVER]. Is there objection?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the fur-

ther consideration of the bill H. R. 16110, with Mr. RAMSEYER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill, of which the Clerk will read the title.

The Clerk read the title, as follows:

The bill (H. R. 16110) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1932, and for other purposes.

The Clerk, proceeding with the reading of the bill, read as follows:

For compensation and traveling expenses of special attorneys and assistants to the Attorney General and to United States district attorneys employed by the Attorney General to aid in special cases, and for payment of foreign counsel employed by the Attorney General in special cases, \$450,000: *Provided*, That the amount paid as compensation out of the funds herein appropriated to any person employed hereunder shall not exceed \$10,000.

Mr. BLANTON. Mr. Chairman, I make a point of order against the proviso beginning on line 8 and ending on line 10, page 41, because it is a change of existing law, legislation on an appropriation bill unauthorized, and in effect would allow at his discretion the Attorney General to pay \$10,000 salary whenever he saw fit, regardless of law.

Mr. SHREVE. The language is not subject to a point of order; it is a limitation.

Mr. BLANTON. We ought to stop giving blanket discretion to the department heads in fixing salaries. Congress must retain its control over fixing the salaries. That is too much blanket authority out of an appropriation of \$450,000.

Mr. SHREVE. What does the gentleman mean by "blanket authority"?

Mr. BLANTON. The Attorney General can under this provision grant as many \$10,000 salaries as he sees fit.

Mr. SHREVE. The gentleman places a wrong construction on the language. It is a limitation on an appropriation bill.

Mr. BLANTON. It is in the guise of a limitation, but which permits him to appoint as many persons at a salary of \$10,000, within the \$450,000, as he may see fit. It is unauthorized by law, and I insist on the point of order.

The CHAIRMAN. Does the gentleman from Pennsylvania concede the point of order?

Mr. SHREVE. I say that it is not subject to a point of order; that it is a limitation on an appropriation bill.

The CHAIRMAN. Under the existing law what is the actual salary to be paid to special attorneys and Assistant Attorneys General?

Mr. SHREVE. They run from \$7,500 to \$8,000, \$9,000, and \$10,000.

Mr. BLANTON. We fix them by law; they are statutory positions. This language gives the Attorney General the authority to appoint any number that he sees fit at \$10,000 up to the extent of the appropriation of \$450,000. It is a change of law, undoubtedly.

Mr. SHREVE. The gentleman will recall that two years ago we had some very high-salaried men there.

Mr. BLANTON. Without authority of law.

Mr. SHREVE. And that is the reason that we carry this language, so that they can not receive more than \$10,000.

Mr. BLANTON. If they continue to go beyond the statutory law we should call them down.

Mr. LaGUARDIA. Is not the gentleman from Texas doing just the opposite from what he desires by striking out the limitation?

Mr. BLANTON. No; if they pay a salary beyond the authorization of law they should be called to time by Congress. Ten thousand dollars is a pretty fair salary. It is what the Members of the House get and what the Senators get. It is two and a half times what the Governor of Texas gets.

Mr. LaGUARDIA. It seems to me that the gentleman by insisting on his point of order is striking out all limitation.

Mr. BLANTON. The gentleman from New York insisted upon a point of order the other day that took \$50,000 from the department that was to be properly spent.

Mr. LaGUARDIA. And I accomplished my purpose and was frank about it.

Mr. BLANTON. And my point of order would save money to the Treasury.

Mr. LaGUARDIA. I do not think it will.

Mr. BLANTON. If it is not a change of existing law then it is unnecessary in the bill.

Mr. OLIVER of Alabama. Mr. Chairman, I am not familiar with the substantive law with reference to the employment of special attorneys. My recollection is that when this appropriation was increased some time ago, I felt they should not pay in excess of \$10,000, and this limit was put on the bill for the purpose of preventing the payment to any special attorney of a salary in excess of \$10,000. It was generally discussed on the floor and was thought to be in the interest of economy.

Mr. BLANTON. There is no law that authorizes that.

Mr. OLIVER of Alabama. I know of no law that prevents the payment of more than \$10,000 in the absence of a limitation.

Mr. BLANTON. Oh, yes.

Mr. LaGUARDIA. In the case of special attorneys there is no limitation, and if the gentleman from Texas removes this limitation they will be able to pay them higher salaries.

Mr. BLANTON. Oh, they come under the classification act.

Mr. LaGUARDIA. Oh, no; they do not.

Mr. OLIVER of Alabama. They do not.

Mr. BLANTON. They have to be lawyers to come without that act. He might appoint special agents who are not lawyers.

Mr. LaGUARDIA. Oh, no; special attorneys.

The CHAIRMAN. The Chair is ready to rule. The paragraph provides for compensation and traveling expenses for special attorneys and assistants to the Attorney General and to United States district attorneys employed by the Attorney General to aid in special cases, and payment of foreign counsel, and so forth, and there follows the proviso that the amount paid as compensation to any person employed hereunder shall not exceed \$10,000. Section 312, title 5, of the United States Code, provides:

The Attorney General shall, whenever in his opinion the public interest requires it, employ and retain, in the name of the United States, such attorneys and counselors at law as he may think necessary to assist the district attorneys in the discharge of their duties, and shall stipulate with such assistant attorneys and counsel the amount of compensation, and shall have supervision of their conduct and proceedings.

The law does not stipulate the amount of pay for such service. The law does not limit the pay that the Attorney General is authorized to pay special attorneys and assistants to the Attorney General referred to in this paragraph. The form of the proviso against which the point of order is directed is purely a limitation upon the appropriation and but for the limitation this pay might exceed \$10,000. The Chair, therefore, overrules the point of order.

The Clerk read as follows:

Prison camps: For the construction and repair of buildings at prison camps, the purchase and installation of machinery and equipment, and all necessary expenses incident thereto, and for the maintenance of United States prisoners at prison camps, including the purchase at a cost not to exceed \$15,000, and maintenance, alteration, repair, and operation of a motor-propelled passenger-carrying bus, to be expended so as to give the maximum amount of employment to prisoners, \$837,640: *Provided*, That reimbursements from this appropriation made to the War or other Departments for supplies or subsistence shall be at the net contract or invoice price, notwithstanding the provisions of any other act.

Mr. MEAD. Mr. Chairman, I desire to call your attention to the appropriations for our Federal courts and jails and to compare the lavish liberality of the administration in its treatment to governmental functions having to do

with the enforcement of prohibition and its penurious attitude when appropriations for unemployment, drought relief, and employees' salaries are being considered. The appropriations this year for jails, prison camps, and Federal penitentiaries smash all records as compared with the appropriations made prior to pre-Volstead days. We have an abundance of money for prohibition but no money for food, for agricultural relief, or for our starving unemployed. This appropriation carries an item of \$11,369,500 for prohibition enforcement, which is \$2,369,500 over the appropriation for the present fiscal year. The increased appropriation is for 500 additional agents and 160 employees to be added to the bureau office here in the District of Columbia. This is not all, for the Treasury Department appropriation bill carries a large appropriation for the prohibition activities retained by that department.

The following is a list of items carried in the present appropriation bill for the expenses of our courts and the maintenance of our Federal prisons:

Salaries for judges, circuit and district courts.....	\$2,184,000
United States marshals and deputies.....	4,350,460
United States attorneys.....	3,295,620
For special attorneys.....	450,000
For clerks to Federal courts.....	2,175,920
United States commissioners' fees, etc.....	600,000
Fees for jurors and witnesses, United States courts.....	4,150,000
For rent United States court rooms.....	115,000
Balliffs and criers, expenses of circuit and district judges, meals and lodgings for jurors, etc.....	500,000
For miscellaneous expenses, United States courts.....	1,270,980
Supplies for United States courts.....	90,000
For Federal penal and correctional institutions:	
United States penitentiary, Leavenworth, Kans.....	1,942,440
United States penitentiary, Atlanta, Ga.....	1,198,212
United States penitentiary, McNeil Island, Wash.....	516,060
United States Northeastern Penitentiary.....	287,000
Federal Industrial Institution for Women, Alderson, W. Va.....	352,400
United States Industrial Reformatory, Chillicothe, Ohio.....	790,448
For maintenance and operation of Federal jails.....	871,220
For United States prison camps.....	837,640

In addition to these appropriations the following additional expenditures are authorized for new construction and repair:

United States penitentiary, Atlanta, Ga., \$100,000; United States penitentiary, McNeil Island, Wash., \$214,135; United States Industrial Reformatory, Chillicothe, Ohio, a sum not to exceed \$3,000,000; United States Reformatory, Reno Military Reservation, Okla., a sum not to exceed \$3,000,000.

Other items include the following:

For the purchase of sites, construction, and remodeling buildings for jail purposes, \$500,000; for the probation system of the United States courts, \$230,400; for the support of United States prisoners, and so forth, \$3,999,040.

When we compare these lavish expenditures with the limited appropriations favored by the majority of members of the House Appropriations Committee for unemployed, drought-relief sufferers, as well as the appropriations for authorized salary increases for certain low-salaried Federal employees, we have the attitude of the administration re-

vealed to us in its proper form. As I said before, we have money for prohibition with its spies and speak-easies, with its wire tapping and snoopers, but when it comes to the masses of our people who are walking the streets looking for work we can not expend any of the public funds lest we might incur a deficit which might possibly necessitate increasing Federal taxes.

Before I conclude I desire to commend the members of the so-called wet bloc of the House for the splendid fight they made to eliminate appropriations from the bill permitting wire tapping, the establishment of speak-easies by the Government, the sale of illicit liquor by Government agents, the continuation of the spy system, and other sharp practices and dirty methods which seem to belong entirely to the enforcement of the prohibition law.

While the fight put up by the liberal Members of the House was a losing one, it was by far the most effective effort against prohibition made in recent years. It was a manly, dignified fight, made by the so-called wets for clean, honest enforcement of the law and for decent treatment for the American people. They made a good showing which is but a forerunner of a better showing that will be made in the next Congress.

In order that we may be able to estimate the cost of prohibition reflected in the increased appropriations for our courts and penal institutions, I am including in my remarks a table showing the criminal and civil cases terminated in our Federal courts, also a table showing all criminal cases prosecuted in Federal courts and a table showing the number of prisoners reported by the Attorney General as well as the total expenditures for Federal prison purposes.

Criminal cases terminated in Federal courts

Year	All cases	Prohibition cases	Per cent
1920.....	34,230	5,095	14.9
1921.....	47,299	21,297	45.0
1922.....	53,155	28,743	54.1
1923.....	68,152	42,730	62.7
1924.....	73,488	46,609	63.4
1925.....	92,711	47,925	51.7
1926.....	76,535	48,529	63.4
1927.....	67,279	40,748	60.6
1928.....	88,336	58,429	66.1
1929.....	85,328	56,455	66.2

Civil cases terminated in which the United States was a party

Year	All cases	Prohibition cases	Per cent
1920.....	5,526	92	16.6
1921.....	6,301	622	9.8
1922.....	8,170	1,537	18.8
1923.....	10,037	2,670	26.6
1924.....	11,121	4,210	37.9
1925.....	13,968	5,927	42.4
1926.....	17,235	8,338	48.4
1927.....	19,953	10,419	52.2
1928.....	18,889	8,617	45.6
1929.....	21,733	10,617	50.4
1930.....	24,722	12,938	52.3

Pleas of guilty and jury trials in Federal courts

Year ending June 30—	Prohibition cases					All other cases				
	Total convictions	Pleas of guilty		Jury trials		Total convictions	Pleas of guilty		Jury trials	
		Number	Per cent	Number	Per cent		Number	Per cent	Number	Per cent
1920.....	4,135	4,109	99.2	206	4.8	19,306	15,547	80.5	3,759	19.5
1921.....	17,962	16,610	92.5	1,352	7.5	14,784	11,926	80.7	2,858	19.3
1922.....	22,749	20,571	90.4	2,178	9.6	13,993	11,012	78.7	2,981	21.3
1923.....	34,067	30,654	90.0	3,413	10.0	14,609	11,060	75.7	3,549	24.3
1924.....	37,181	33,834	91.0	3,347	9.0	15,428	12,366	80.2	3,062	19.8
1925.....	38,498	35,064	91.0	3,434	9.0	18,252	15,952	87.4	2,300	12.6
1926.....	37,018	34,233	92.5	2,785	7.5	17,128	14,046	82.0	3,082	18.0
1927.....	31,717	28,881	91.1	2,836	8.9	16,642	12,375	74.4	4,267	25.6
1928.....	48,830	45,295	92.8	3,535	7.2	20,442	16,454	80.5	3,988	19.5
1929.....	47,100	43,183	91.7	3,917	8.3	20,155	15,417	76.5	4,738	23.5

Number of prisoners reported by United States Attorney General and prison expenditures

Year	Total prisoners received	Exclusive of Volstead Act prisoners	Expenditures for Federal prisoners
1923	7,808	7,711	\$3,353,454
1924	6,427	6,322	3,479,219
1925	8,098	7,325	4,324,943
1926	7,844	6,007	5,787,731
1927	7,981	5,921	6,422,119
1928	9,348	6,818	5,935,405
1929	11,192	7,603	7,790,347
1930			9,015,628

The appropriations for prohibition purposes contained in this bill together with the congestion in our Federal courts as well as our expenditures for Federal prisoners are due solely to national prohibition. Federal prisons are now filled to double their normal capacity, and it is safe to assume that if there were no Volstead Act there would have been no increase in the number of Federal prisoners nor would there be any necessity for increasing the appropriations for our courts and penal institutions.

In addition to the overcrowded situation that exists in our Federal penitentiaries upward of 16,000 persons convicted of violating the prohibition law were boarded out in State and county jails, which resulted in overcrowding these institutions.

Although the figures and statistics from reliable Federal sources prove conclusively that prohibition is a failure, the Wickersham report together with the attitude of the President indicate that the fight must go on until another day, when those opposed to this hypocrisy, lawlessness, and oppression, which has been mistakenly alluded to as the noble experiment, have increased their number sufficiently to wipe this unjust and obnoxious law from the statute books of the Nation.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Chairman, I rise in opposition to the pro forma amendment. I was very glad to hear my distinguished colleague the gentleman from New York [Mr. MEAD] call attention to prohibition methods and practices that have brought the Government into disrepute. While we are discussing appropriations for the Department of Justice, presided over by the Attorney General, it is well to point out the very obnoxious practice of that department which has permitted a concern called Fruit Industries (Inc.) to peddle its illegitimate and unlawful wares throughout the country in absolute violation of the spirit, if not the letter, of the prohibition statute unscathed and unwhipped of justice. If there is anything that we believe in in this country it is equality before the law. Yet, under the guise of the obnoxious provision, section 29 of this most obnoxious prohibition statute, we have a glaring inequality whereby persons who sell and buy concentrated fruit juices with the open and avowed purpose of making wine with as high an alcoholic content as 14 per cent are able to do so without any action on the part of the Attorney General to apprehend them and make them malefactors before the law. The Wickersham report which we hear so much about reads:

Why home wine making should be lawful while home brewing of beer and home distilling of spirits are not, why home wine making for home use is less reprehensible than making the same wine outside the home for home use, and why it should be penal to make wine commercially for use in homes and not penal to make in huge quantities the material for wine making and set up an elaborate selling campaign for disposing of them is not apparent.

It is not apparent to this commission, it is not apparent to any reasonable, reasoning individual anywhere, why we should allow this concern to violate the law.

This Fruit Industries (Inc.) sells fruit concentrates, with salesmen going into all the highways and byways of the land, deliberately selling you a product out of which you can make champagne, burgundy, port, sherry, muscatel, madeira, claret, chablis, or sauterne, hock riesling, marsala, malaga—all the delectable refreshments that we know of—

all of them can be made out of these grape concentrates. Every purchaser is told to leave the bung out of the barrel and thus allow the concentrate to ferment into fine wine. They deliberately tell you that their agent will come to your home and service the product for you; tell you how to decanter the wine; tell you how to sulphur the wine to bring out purity; supply you with a hose; supply you with various filtering papers, stoppers, bottles, and funnels, and all the apparatus known to scientific wine making and bottling. Surely there is hypocrisy, surely there is chicanery, surely there is deceit in all of this, and it is time to stop it. I ask the Attorney General to cancel immediately all the privileges or grants to this Fruit Industries (Inc.) that makes this concern a privileged entity. It is indeed irritating to the public generally to have such lopsided enforcement. You can not make home brew, but you can make hard cider and wine in the home. It is such glaring inequality that makes people rebel. It is just such favoritism that makes people boil. The home shall be invaded and home life shall be interfered with in all cases except where wine is involved; except where fruit juices are sold by the Fruit Industries (Inc.). No wonder prohibition breeds sullen resentment.

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has expired.

The Clerk read as follows:

Support of prisoners: For support of United States prisoners, including necessary clothing and medical aid, discharge gratuities provided by law and transportation to place of conviction or place of bona fide residence in the United States, or such other place within the United States as may be authorized by the Attorney General; and including rent, repair, alteration, and maintenance of buildings occupied under authority of sections 5537 and 5538 of the Revised Statutes (U. S. C., title 18, secs. 691, 692); support of prisoners becoming insane during imprisonment, and who continue insane after expiration of sentence, who have no friends to whom they can be sent; shipping remains of deceased prisoners to their friends or relatives in the United States, and interment of deceased prisoners whose remains are unclaimed; expenses incurred in identifying and pursuing escaped prisoners and for rewards for their recapture; and for repairs, betterments, and improvements of United States jails, including sidewalks, \$3,996,040.

Mr. LA GUARDIA. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from New York [Mr. LA GUARDIA] offers an amendment, which the Clerk will report.

The Clerk read the amendment, as follows:

Amendment by Mr. LA GUARDIA: Page 52, line 16, before the period, insert a colon and the following: "Provided, That no money in this act appropriated shall be used to pay for the salary, per diem allowance, wages, or expenses of any person previously convicted of a felony."

Mr. LA GUARDIA. Mr. Chairman, this amendment was prepared by my colleague the gentleman from New York [Mr. BACON], a member of the Committee on Appropriations. The gentleman was taken ill last night and is now confined to his bed. At his request, I am offering the amendment, in which, of course, I heartily concur.

All this amendment does is to prevent the employment of felons in the Department of Justice. We have just passed a provision providing for probation officers. There are many thousands of employees in the Department of Justice in the various bureaus. We have placed most of those positions under the Civil Service. I submit that it is no unreasonable limitation to say to the Department of Justice that in the performance of their functions they should not employ persons who have been convicted of a felony or who have a bad criminal record. The amendment does not refer to misdemeanors. It refers to felonies, serious crimes, and, as I said, under the civil service law, and the very purpose of the Department of Justice, surely no one can take exception to that amendment.

Mr. LINTHICUM. Will the gentleman yield?

Mr. LA GUARDIA. I yield.

Mr. LINTHICUM. In connection with the Indianapolis speak-easy which was conducted by the Prohibition Bureau, this man Henderson had been convicted of larceny and he was on-parole when the Government employed him in the

speakeasy. He was employed by them for six months when they knew he had been convicted of a felony.

Mr. LA GUARDIA. I was told of a case where the Department of Justice was looking for a fugitive from justice from one of the States, had their agents looking for him, when he, at the very time the agents were looking for him, was employed by another department in another State. Now, surely, we do not want to put the department in any such ridiculous position.

I submit that my colleague from New York [Mr. BACON] has given this matter a great deal of thought and investigation, and I wish the gentleman were here so that he could present his amendment in much better fashion and more forcibly than I can, but I hope that no one on the floor today will permit any extraneous subject to enter into his deliberations in voting on this wholesome and necessary amendment which I have offered.

Mr. OLIVER of Alabama. This, of course, is a continuation of the character of amendments that were offered on yesterday and which will have the effect, whether the parties offering the amendments are conscious of it or not, to embarrass the Department of Justice in the enforcement of the prohibition law.

It appeared in the hearings that at times it was necessary, so some officials of the department felt, to employ parties for temporary services in prohibition cases who might have a criminal record.

Mr. TUCKER. They found it necessary?

Mr. OLIVER of Alabama. They have found it necessary, sometimes, or perhaps a better word might be "expedient." In every State prosecuting officers have found it necessary to use parties with criminal records to obtain information against criminals, and oftentimes against confederates in crime.

Anyone who has been a prosecuting attorney must recognize that at times immunity from punishment is given to a party for testifying in a case in order that you may secure the conviction of the real culprit.

Mr. LA GUARDIA. Will the gentleman yield?

Mr. OLIVER of Alabama. There is not a State in the Union where district attorneys have not sometimes called on witnesses who have criminal records and placed them on the witness stand to testify in cases. It is for the jury to say what value shall be given to their testimony.

Mr. LA GUARDIA. Will the gentleman yield?

Mr. OLIVER of Alabama. I yield.

Mr. LA GUARDIA. In all fairness, the matter of turning State's evidence or as a matter of using convicts as witnesses does not enter into the merits of the amendment now before the House.

Mr. OLIVER of Alabama. The gentleman is asking a question which I am sure he understands answers itself, because oftentimes in working up cases, sheriffs in States, constables in cities, agents of the Department of Justice have found it necessary to call on convicts to aid in ferreting out crime, payment of certain expenses of such witnesses may be found proper. The amendment offered by the gentleman from New York would prevent the employment of any party who had been convicted of a felony.

Mr. LA GUARDIA. Not as a witness.

Mr. OLIVER of Alabama. Now, let me say to the gentleman that there are many offenses that were felonies under old statutes that are now made misdemeanors.

The States, as well as the Federal Government, have changed the character of not a few offenses from felonies to misdemeanors. There are many persons who have been pardoned by the executives of States as well as by the President, and they have returned to civil life and some of them, I am glad to say, though convicted of felonies, are now doing very well, and I have in mind some in my own State.

Mr. LA GUARDIA. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. LA GUARDIA. A pardon wipes out a conviction, and my amendment would not affect anyone who has received executive clemency.

Mr. OLIVER of Alabama. That is not correct as to the amendment in its present form. This amendment is so written that anyone who has been convicted of a felony at any time, it matters not what to-day may be his conduct, could not be employed by the Department of Justice. It may be they were convicted of some technical offense, one not now punishable as a felony, yet the gentleman's amendment would prevent such party's employment by the Department of Justice. All amendments of this character can be well disposed of with the statement: That if you have sufficient confidence in the Department of Justice to enforce the law, you should not place restrictions on appropriations that may prove embarrassing.

Mr. LINTHICUM. Mr. Chairman, I move to strike out the last word. If there is one thing which all the members of the Wickersham Commission agreed upon it is that when this prohibition enforcement began public resentment was brought about by reason of the personnel employed to enforce it. We have been trying to eliminate certain bad practices of these officers and agents of the Prohibition Bureau by first trying to eliminate poison in alcohol. I think we have already done that. Then we have tried to prevent wire tapping, which, as the gentleman from Pennsylvania [Mr. BECK] says, Justice Holmes declared "dirty business." Then we are trying to dispose of speakeasies and of the use of money, \$250,000, to buy liquor by which to entrap people to violate the law. Now, the gentleman from New York [Mr. LA GUARDIA] asks us to further elevate this prohibition enforcement by not allowing people with a criminal record to become one of the enforcement officers. In Baltimore, as was brought to the attention of the last Congress by my colleague [Mr. PALMISANO], it was shown definitely that the Government had employed two men with criminal records and continued them in the service in that city. In Indianapolis it has been shown that they employed a man, Henderson, and a man, Lyle, in a speakeasy to enforce this law, both having a criminal record. If you want to put this law upon a high plane, you have got to eliminate such people and eliminate bad practices which have been indulged in. I certainly trust and hope that gentlemen on the floor of the House, whether they be styled as wets or dries, will see that the Government does not employ such men. I trust you will further elevate the law, if you can, by eliminating this class of people who have dragged this prohibition law into the gutter and made it obnoxious to the people of this country.

Mr. CELLER. Will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. CELLER. Is not that one of the irritating things that the Wickersham report speaks of as having brought prohibition into disrepute?

Mr. LINTHICUM. I say that if there is one thing they all agree upon it is that resentment against the prohibition law has been brought about because of such men and such practices as they have indulged in.

Mr. GIFFORD. Mr. Chairman, I rise in opposition to the pro forma amendment. During the votes of yesterday we noticed a remarkable change in the votes on many of these matters from the votes the same Members cast heretofore. I am one of those from Massachusetts who think we have had a mandate from that State to resubmit the eighteenth amendment to the people. [Applause.] Massachusetts has spoken, and very strongly so, against present conditions. But year after year we have sat here and watched this performance of trying, by limitations on appropriation bills, to break down in every way possible the enforcement of this law. It seems to me this is a usurpation of the plain duty of the Judiciary Committee. If these things are wrong, that committee should consider them and recommend changes in the law. But we are carrying these limitation matters to a degree of absurdity, to my mind. [Applause.] Furthermore, we have very desperate criminals in the bootlegging and racketeering business, and I for one will not vote to weaken, except upon recommendation of proper committee, any possible method for the detection of those desperate criminals. In voting yesterday I followed my usual

custom, but I sometimes doubt my own wisdom when such a large number are recently converted to the other side, or, rather, vote the other way.

Mr. CHAIRMAN, the preservation of representative government is to me more important than anything else. No matter what my own poor opinion may be on a matter that my people fully understand, if voted upon by a great majority of them and we did not obey them, it would be a serious blow to representative government. I cheerfully acknowledge that I would be one to vote for a resubmission of this question to the people, but I will vote against all these attempts to try to make the law less easy of enforcement and make it more difficult to catch these desperate criminals.

Mr. CELLER. Will the gentleman yield?

Mr. GIFFORD. Yes.

Mr. CELLER. The gentleman well understands that every attempt possible was made to do away with stool pigeons, speak-easies conducted by the Government, the appropriation of money for propaganda purposes, and wire tapping, in various resolutions offered before the Judiciary Committee.

But because of the complexion of that committee, which is arid and dry, we have been unable to get any hearings on any of those bills. So are we not justified in coming into this Chamber now and attempting, even by indirection, to do that which we are utterly unable to do by the direct means which the gentleman indicates?

Mr. GIFFORD. Mr. Chairman, I acknowledge there is merit in almost all of these propositions to amend, especially if the powers are not wisely used, but there is a proper method for bringing them before the House, and we should not be constantly annoyed by trying to accomplish something in this indirect manner. Furthermore, if your child were abducted or these desperate criminals were at work where you, sir, were personally concerned, you would like to have the Department of Justice clothed with all the powers necessary to apprehend the criminal. [Applause].

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. LaGuardia].

The amendment was rejected.

Mr. SHREVE. Mr. Chairman, we passed over two items under the Department of State which we desire to take up at this time before proceeding with the Department of Commerce. They are the items that were mentioned this morning just before we went into Committee of the Whole, the post allowances and the representation allowances. At that time we agreed upon 40 minutes of debate, 20 minutes on each side, to be controlled by the gentleman from Alabama [Mr. OLIVER] and myself. I shall ask the gentleman from New Jersey [Mr. ACKERMAN] to take charge of the time on this side.

The CHAIRMAN. The committee returns to page 13, lines 9 to 17 inclusive, and the other paragraph which was passed over, on page 14, from lines 12 to 15 inclusive, and by order of the House debate is limited to 40 minutes, one-half to be controlled by the gentleman from Pennsylvania [Mr. SHREVE] and one-half by the gentleman from Alabama [Mr. OLIVER]. The Clerk will read the paragraphs.

The Clerk read as follows:

POST ALLOWANCES TO DIPLOMATIC, CONSULAR, AND FOREIGN SERVICE OFFICERS

To enable the President, in his discretion, and in accordance with such regulations as he may prescribe, to make special allowances by way of additional compensation to Diplomatic, Consular, and Foreign Service officers, and officers of the United States Court for China in order to adjust their official income to the ascertained cost of living at the posts to which they may be assigned, \$100,000.

Mr. OLIVER of Alabama. Mr. Chairman, I reserve a point of order against the paragraph, and I will now ask that the representation allowance item be read so that an amendment may be offered to that.

The CHAIRMAN. The Clerk will read the next paragraph passed over.

The Clerk read as follows:

REPRESENTATION ALLOWANCES

For representation allowances, as authorized by section 12 of the act of May 24, 1924 (U. S. C., title 22, sec. 12), \$125,000.

Mr. BYRNS. Mr. Chairman, I move to strike out the paragraph just read.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BYRNS: Page 14, line 12, strike out the paragraph from lines 12 to 15, inclusive.

Mr. BYRNS. Mr. Chairman, I want to call the attention of the committee to this paragraph and to my motion to strike it from the bill.

This appropriation of \$125,000, or nearly \$350 a day, is proposed for the purpose of providing an allowance for such embassies and a few of the consulates as the Secretary of State may feel should have some allowance for entertainment purposes. The appropriation is carried under an authorization act which was passed in 1924, but it is significant that President Coolidge never submitted an estimate to Congress under that act. I have no doubt that President Coolidge was importuned to do so, but we never had an estimate under the act of 1924 until last year, when an estimate from President Hoover came to Congress, was considered by the Appropriations Committee, was refused, and the attention of the House was called to it when the bill came before the House, and the House refused to put it in the bill. It then went to the Senate, where \$92,000 was appropriated and finally agreed to in conference.

I think it is perfectly clear to every one of us why President Coolidge failed, and, as I say, I have no doubt refused, to submit an estimate under the act of 1924. It was President Coolidge's belief that the strength of this Republic abroad, as well as in this country, lay in the simplicity which should characterize every republican form of government.

After the first appropriation was made last year the President issued an Executive order in which is set forth for just what purposes this appropriation is to be used. I want to ask the attention of the committee while I read to you just how this appropriation of \$92,000 for the current year and how the appropriation of \$125,000 for next year, if this Congress sustains it, will be used. Listen—I am reading now from the Executive order of the President.

Representation allowances are considered to include the following items:

1. Receptions on American national holidays.
2. Functions, formal or informal, such as receptions, dinners, and luncheons given upon special occasions, such as the usual official receptions incident to visits of United States naval vessels, of special commissions, or upon some important happening, providing the means of reciprocating official courtesies received, either at a representative's home or at public places.
3. Tips and gratuities in accordance with custom in the various countries where such gratuities are, in the opinion of the representative, necessary or desirable for the maintenance of the prestige of the United States.
4. Purchases of flowers, wreaths, etc., upon appropriate occasions, such as weddings, births, and deaths of important personages.
5. Expenses for entertainment of other kinds than that provided for in paragraphs 1 and 2, when considered reasonable and desirable by the Secretary, provided that such expenses are shown to be for activities of representative importance.
6. Any other expenses which in the discretion of the Secretary of State are of a character to promote the representation of the United States abroad.

Now, I am wondering whether the House of Representatives in the present state of depression in this country and throughout the world will appropriate nearly \$350 for every day in 1932 for the purposes suggested.

We are told that we should make the appropriation for the purposes mentioned in the Executive order of the President, every dollar of which may be used for the purchase of food—not for starving people, not for those who need it to sustain life, but for the high brows in society in foreign capitals for their lunches, dinners, and refreshments. And yet we are told that a great principle is involved. When it is proposed to buy food for thousands of our own citizenship,

who are suffering from a lack of it, I do not believe that this House under these circumstances will make any such appropriation.

Now they say, "Oh, this is necessary in order to democratize the service, so that the poor man can have his chance."

A number of years ago we passed a bill authorizing the purchase and construction of embassies and consular buildings in foreign countries. Let us see how that has been used by the State Department and those in charge.

It appeared in the newspapers the other day that two and a half million dollars was paid for a building in the city of Berlin.

Mr. LINTHICUM. Will the gentleman yield?

Mr. BYRNS. Not just now. Now, my friend from Maryland [Mr. LINTHICUM] reminded me this morning that instead of spending two and a half million it was \$1,800,000. But in addition to that sum, the Government will have to provide furniture for the building costing thousands of dollars, and we all know that a man with a salary of only \$17,500 can not go abroad and maintain a building of that palatial kind unless he has a large private income.

Down in the Argentine they have purchased a building for residential purposes only—it does not include the offices—for \$1,400,000. Over in Japan they have spent \$1,250,000 for a building for residential and office purposes.

So do not talk to me about \$125,000 democratizing the service and making it possible for a poor man to be appointed ambassador and to keep up these palatial buildings purchased by this Government.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. BYRNS. I yield.

Mr. OLIVER of Alabama. They have paid \$70,000 to put furniture in this Argentine building and \$25,000 for fixing up the garden.

Mr. BYRNS. Well, that makes a million and a half dollars. How much money will it take to maintain these palatial establishments?

Mr. ACKERMAN. Will the gentleman yield?

Mr. BYRNS. I yield.

Mr. ACKERMAN. Does not the gentleman understand that this building in the Argentine is for other purposes?

Mr. BYRNS. No; this is solely for residential purposes. The Government has spent a million and a half dollars for the building as a residence for the ambassador.

Tell me that this appropriation of \$125,000 will serve to democratize the service and enable the poor man to accept an appointment to a post of that kind when he is expected to keep up a building of that sort. By this extravagance we have made it impossible in every country in the world where we have purchased buildings for a poor man to accept an appointment. [Applause.]

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. ACKERMAN. Mr. Chairman, I yield five minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Chairman and gentlemen of the committee, I am very much surprised at the remarks of the gentleman from Tennessee [Mr. BYRNS], because I have always regarded him as a gentleman who wanted to see the United States Government properly represented abroad. He talks about what we have done as not being democratic. What we are trying to do is to regulate that very thing. We are trying to give the men in the Foreign Service the money by which they may carry out the wishes of the United States Government. Everyone knows very well that these men must entertain not only the people of the country to which they are accredited but many people from our own country. Whenever we visit France, if it is around the Fourth of July, we endeavor to be in Paris on that eventful day, and I dare say that the ambassador to France spends more money on the Fourth of July in entertaining American people than he is allowed under this representation allowance. One hundred and twenty-five thousand dollars is appropriated in this bill for representation allowance throughout the world, and only \$5,000 of that goes to Paris, where thousands and thousands of American citizens

go and where hundreds are entertained. Only \$2,500 is paid to Buenos Aires, where, I am informed by the chef of the ambassador there, 6,000 people and more in that great city are entertained during the year by our ambassador.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. OLIVER of Alabama. Why does he not follow the policy of our President now of giving an entertainment and serving no food?

Mr. LINTHICUM. Well, I have always looked upon that as a very poor policy, and I would not recommend it to anybody. I would not do it in my own home, and I don't believe the people of the United States, if asked whether they approved of the President not serving refreshments, would approve of that course. I could not even find a glass of ice water one night when I was there, and yet the President has \$25,000 entertainment allowance. I think when President Taft, President Wilson, and President Roosevelt, and those preceding them, could always give a little refreshment to the American people who visited there, and to Members of Congress and the diplomatic service, other Presidents might do likewise.

I was up there the other night when there was a great array of diplomats, with all of their regalia, when many Members of the Senate and the House were there, and we passed through and shook hands with the President, and there was nothing at all in the way of refreshment. That might be all right here, but you can not do that abroad.

Mr. PARKS. Mr. Chairman, will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. PARKS. You did not see any of those people there that we are raising this money for through the Red Cross or by the Congress, did you?

Mr. LINTHICUM. I did not ask anybody there what they contributed, but I have heard that the President gave a very substantial check to the Red Cross, and I imagine that many other people who were there did the same thing. The way to get business, the way to get the good will of a people, is by making contacts socially, and you have to make those contacts if you want their good will. Those men represent the United States. The only way you can make these contacts is to have the people of the country at the embassy or the legation or the consulate where you may converse with them and find out their views and ascertain ways by which you may do business with them.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. KNUTSON. We have heard several interruptions from the Democratic side of the aisle with regard to the Red Cross and one thing and another, and perhaps it might be pertinent at this time to insert in the RECORD just what the wealthy people of Arkansas are doing to relieve the situation down there.

Mr. LINTHICUM. Oh, I take it that human nature is the same all over the world, and they are doing there what they are doing elsewhere.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. BLANTON. When we consider that our distinguished friend from Maryland has been entertained so lavishly by some of these representatives of the United States abroad, it would seem that this \$125,000 appropriation is a small sum.

Mr. LINTHICUM. It is a small sum.

Mr. BLANTON. That is, taking into consideration the kind of entertainment they would have to furnish the gentleman from Maryland.

Mr. LINTHICUM. I say to the gentleman that I get the best treatment and the best attention wherever I go, whether it is in this country or abroad, and I am proud of it.

Mr. BLANTON. The gentleman is entitled to it.

Mr. LINTHICUM. And I say to the Members on my side of the aisle, let us be economical, but do not let us be parsimonious. Let us have the proper representation abroad and let the people of the foreign countries know that, although we are a democracy, we are a real democracy. I

do not believe in this parsimony in passing legislation by which you do not give these people any money. I am in favor of giving it to them, so that they can properly entertain and make social contacts and increase the business of the United States.

Mr. GLOVER. Mr. Chairman, will the gentleman yield?
Mr. LINTHICUM. Yes.

Mr. GLOVER. I notice on page 13, a paragraph also under consideration, that an appropriation of \$100,000 is made for the Diplomatic, Consular, and Foreign Service officers, and officers of the United States Court for China, in order to adjust their official income to the ascertained cost of living at the posts to which they may be assigned. Does the gentleman think that is right?

Mr. LINTHICUM. Yes; and I could easily explain it to the gentleman if I had the time.

Mr. GLOVER. We do not agree on that.

Mr. LINTHICUM. Oh, there are lots of things on which the gentleman and I do not agree, and I have no doubt that sometimes each of us is right. This is really a cushion between the salaries and their expenses. Men having to entertain lavishly, as in Paris, are granted a little more, and men who have very little to do in the way of entertainment get much less. It is a cushion by which you can regulate for what you do not give them in salary.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. ACKERMAN. Mr. Chairman, I yield three minutes to the gentleman from Pennsylvania [Mr. TEMPLE].

Mr. TEMPLE. Mr. Chairman, in regard to this matter of representation allowance, it seems to me that our Government ought to take into consideration the customs of the world.

We send men to the capitals of foreign countries to make contacts there which will enable them to do the business of the United States Government with the representatives of other governments and citizens of the countries to which they are sent. It is the custom to entertain. Everywhere and in all kinds of business there is a social life that is an essential part of the acquaintance on which depends success in dealing with men. If our representatives do no entertaining they do not maintain the relations that add so much to their efficiency. If the Government does not furnish the means of official entertainment, we must send rich men who are able to pay those expenses out of their own pockets. I have no objection to wealth. I would like to have a great deal more of it than I expect ever to have. I have no prejudice against the rich, but I do say that brains and tact and ability to represent the United States Government is not limited to men of wealth. There is no reason why we should limit our choice and restrict ourselves to a small portion of our people. If they are to pay these expenses out of their pockets we must make our selections from men of wealth and depend on them to pay more than their own salary for the privilege of representing the United States. We get many good men among them, and it has sometimes happened that we have found men who are merely rich and able to pay the bills. I want men of brains, men of tact, men of capacity, whether rich or poor, and I am willing the United States Government should pay the expenses of the official entertainment necessary in the conduct of their business. [Applause.]

Mr. OLIVER of Alabama. Mr. Chairman, the gentleman from Tennessee [Mr. BYRNS] correctly stated that this appropriation of \$125,000, which he moves to strike out, is a social fund, out of which, under the Executive order he read, officials of the State Department in more than 70 cities in foreign countries are permitted to pay for food at formal or informal receptions given by them, and for tips and for flowers sent to families and relatives of high officials on nuptial occasions.

Attention was also called to the fact that, though the act authorizing an appropriation of this character was passed in 1924, yet no President, no Congress, no Member of Congress, no member of the Committee on Foreign Affairs ever requested an appropriation until the fiscal year 1931,

when the President, for the first time, submitted a Budget estimate of \$92,000 therefor. The House Appropriations Committee disallowed it, and this House, when its attention was called thereto, approved the action of the committee in disallowing it.

It was afterwards inserted in the Senate, and when the House learned that it had been agreed to in conference, on a roll call more than a hundred votes were recorded against the conference report as appears in the RECORD of April 15, 1930. A table will be appended to my remarks, showing in the first column how, when the estimate for 1931 was submitted, the State Department allocated this fund; in the second column how it was actually allocated for 1931; and in the third column how it is now proposed to allocate it for the fiscal year 1932. The increase in allocations to certain posts and the places where it may be spent will prove interesting.

No one, however, can defend this appropriation at a time like this, when millions of our home people are without employment and when their families are in such urgent need of food and clothing. Read the pathetic appeals that are made now to feed and clothe those at our very doors who are hungry, and tell me what sound and compelling reasons can be given for voting Federal funds at such a time to provide food, tips, and flowers for the well-to-do in foreign countries.

Scan closely the table attached for the amounts and places where this social-function money is to be spent—and this at a time when hunger and want in countless American homes go unprovided for.

Let it be remembered further that you are actually increasing the amount to be expended after July 31 of this year for food at gay gatherings in high society in many foreign lands, and yet you refuse to appropriate any sum, either now or later, to relieve actual suffering at home.

Votes recorded for this appropriation will yet rise up to condemn many Members for their callous, ungenerous, and unsympathetic response to appeals on behalf of American men, women, and children now in desperate need for food and clothing. One hundred and twenty-five thousand dollars, in sums of \$5,000 and less, I repeat, are here asked to be spent out of the Federal Treasury to provide lunches, dinners, teas, and the like for those high in social, business, and political circles in many foreign countries. Yes—even flowers for royalty are to be purchased with these funds—yet not a dollar from the Public Treasury is provided for starving American mothers and children.

No Member of this House asked for this fund under the administration of Mr. Coolidge. He did not recommend it in any Budget which he submitted, but now—when hunger is abroad in the land, unemployment everywhere, and our veterans in sore need—we hear to-day the first speech ever made on the floor of the House asking for an appropriation of this kind.

The hearings clearly show that this is just the beginning of what, in ever-increasing sums, will be asked for hereafter.

The Secretary of State boasted in the hearing of last year that he had been given everything asked for by the Budget—and permit me to say that his requests were not very modest. The increase was more than \$3,000,000, and a very large part of that increase went to the personnel of the State Department in foreign lands. Additional officers and clerks were provided for; liberal promotions granted; funds appropriated for the first time to provide heat, light, and fuel for all of our State officials abroad. Post allowances were continued, thus permitting the President to provide increases in pay and adjust inequalities in pay at the different foreign stations. The present bill carries an additional substantial increase for the personnel; and yet we find in the hearings that large increases must yet be made in this entertainment fund, known as "representation allowances." The reports of the inspectors abroad show how well they are laying the predicate for increasing "representation allowances" in the future.

Excerpts from inspectors' reports on Stockholm and The Hague furnish very illustrative proof of this statement, when you recall that parts of these two reports which I will read

were submitted by the State Department to the Appropriations Committee without disapproval. The inspector, in his report, suggests that it would be proper to grant representation allowances at Stockholm in double the amount of the official salary at such post, thus providing an allowance approximating \$35,000.

Mr. TEMPLE. The gentleman does not mean to be inaccurate. The man at Stockholm is not an ambassador getting \$17,000, but he is a minister getting \$10,000.

Mr. OLIVER of Alabama. I thank the gentleman for the correction. So the recommendation at Stockholm is for \$20,000 or more, let us remember. You will doubtless be interested in having me read parts of this report where the inspector says:

Satisfactory representation in Stockholm for a chief of mission involves the giving of from 20 to 30 dinners each season, each dinner party numbering from 25 to 30 guests. Almost all of the official entertaining in Stockholm is done on a large scale and is characterized by the strictest formality. A representation allowance of more than double the salary of the present chief of mission would come very far from covering his annual expenditure. From 40 to 50 per cent of an officer's salary would not be too much in the case of a junior officer.

The following is from the inspector's report on The Hague:

The officer assigned here should be of high type and distinctly social by inclination. Entertainment is expected of officials; good food, good wines, and a high plane of hospitality is appreciated by the Dutch people. During the year 1927 the minister is said to have provided entertainment, in one form or another—dinners, lunches, receptions—for a total of 750 people, and in 1928 for a total of 1,120 people. His Fourth of July receptions have included from 60 to 70 people. A representation allowance of \$8,000 to \$12,000 would not be exorbitant at this post.

From these and other like reports it can be readily visioned how hereafter the State Department will vigorously urge large increases for representation allowances. The recent purchase of a palatial residence in Buenos Aires for our ambassador which, with the cost of its furnishings, represents an expenditure of more than \$1,400,000 may well serve to illustrate how costly and undemocratic are the ideas of the State Department in matters of this kind. To maintain a residence of this proportion and provide funds for social entertainment in keeping with what it suggests will prove very costly indeed. My own thought is that our people are not favorable to the granting of this character of allowances, and especially are they opposed to it in times such as we are now passing through.

It has been argued that because foreign governments provide liberal allowances to their representatives we must make large appropriations for the same purpose. I trust such an argument will not be the basis for determining appropriations by this Congress. Our Presidents hold large public receptions, yet serve no food of any kind. We celebrate in many places at home the Fourth of July, Washington's Birthday, and other important public occasions in a dignified, impressive, yet simple, democratic manner, without expending money for tips, gratuities, food, lunches, and dinners. Just why we should adopt a different custom abroad from that we follow at home no one has yet tried to explain. The foreign practice referred to has been in vogue for many years, and yet this is the first time that any Member has made a speech on the floor of the House in support of representation allowances; and I respectfully submit that no more inappropriate time could have been chosen than the present to make a speech in favor of such an appropriation.

At some more appropriate time, when economic conditions are different at home, some reasonable allowance for very definite and well-defined purposes of a national character at some places might with propriety be considered. Those in the Foreign Service of the department should now be reminded, however, that Congress has carried for many years post allowances to be expended under the direction of the President, although there was no direct authority of law therefor. The fact that such allowances have been used to adjust inequalities in pay, difficult to otherwise correct by direct legislation, has alone served to save this appropriation from points of order.

When you remember that a majority of the Members of this House have, in the last few days, refused to appropriate any funds even to be loaned to American farmers for the purchase of food, on first-mortgage security, which bankers and merchants have always considered sound—and at a time when these farmers are confessedly needing the actual necessities of life—it is indeed astounding to find that many of these same Members are willing now to provide funds to entertain and feed, at Government expense, people of high rank, influence, and wealth, in more than 70 foreign countries. It is my firm conviction that such an appropriation can not be justified. [Applause.]

Under leave to extend my remarks I insert the following table, containing facts taken from the hearings, which show the places where the representation allowances were actually spent in 1931, and how and where the State Department proposes to spend same in 1932. The first column of figures shows what the State Department, when the Budget was first submitted, stated to the committee would be the amounts and the places where the funds would be allocated. (It will be noted that it did not provide for more than \$2,000 at any one place.) Column 2 shows where and how the money was actually allocated and spent after the appropriation was made. (It will be noted that the department made substantial increases and made other marked changes in the allocation.) Column 3 shows where and how it is proposed to spend the \$125,000 in 1932. Column 4 shows increases which it is proposed to allocate in 1932 over 1931.

Representation allowances

	1931 as allocated in support of estimate	1931 as actually allocated	1932 as proposed to be allo- cated	1932 increase over 1931
London.....	\$2,000.00	\$5,000.00	\$5,000.00	-----
Paris.....	2,000.00	5,000.00	5,000.00	-----
Berlin.....	2,000.00	2,500.00	3,000.00	\$500.00
Rome.....	2,000.00	2,500.00	3,000.00	500.00
Tokyo.....	2,000.00	2,500.00	3,000.00	500.00
Buenos Aires.....	2,000.00	2,500.00	3,000.00	500.00
Habana.....	1,750.00	2,500.00	3,000.00	500.00
Istanbul and Ankara.....	2,000.00	2,500.00	3,000.00	500.00
Mexico.....	2,000.00	2,500.00	3,000.00	500.00
Rio de Janeiro.....	2,000.00	2,500.00	3,000.00	500.00
Santiago.....	2,000.00	2,500.00	3,000.00	500.00
Berne.....	2,000.00	2,000.00	2,500.00	500.00
Bogota.....	1,500.00	2,000.00	2,500.00	500.00
Lima.....	1,500.00	2,000.00	2,500.00	500.00
Madrid.....	1,750.00	2,000.00	2,500.00	500.00
Montevideo.....	1,500.00	2,000.00	2,500.00	500.00
Ottawa.....	1,750.00	2,000.00	2,500.00	500.00
Peiping.....	2,000.00	2,000.00	2,500.00	500.00
Warsaw.....	1,750.00	2,000.00	2,500.00	500.00
Brussels.....	2,000.00	1,500.00	2,000.00	500.00
Caracas.....	1,500.00	1,500.00	2,000.00	500.00
The Hague.....	1,500.00	1,500.00	2,000.00	500.00
Panama.....	1,500.00	1,500.00	2,000.00	500.00
Riga.....	1,500.00	1,500.00	2,000.00	500.00
Athens.....	1,500.00	1,000.00	1,500.00	500.00
Belgrade.....	1,500.00	1,000.00	1,500.00	500.00
Bucharest.....	1,500.00	1,000.00	1,500.00	500.00
Budapest.....	1,500.00	1,000.00	1,500.00	500.00
Cairo.....	1,500.00	1,000.00	1,500.00	500.00
Cape Town.....	1,500.00	1,000.00	1,500.00	500.00
Copenhagen.....	1,500.00	1,000.00	1,500.00	500.00
Dublin.....	1,500.00	1,000.00	1,500.00	500.00
Guatemala.....	1,500.00	1,000.00	1,500.00	500.00
Helsingfors.....	1,500.00	1,000.00	1,500.00	500.00
Lisbon.....	1,500.00	1,000.00	1,500.00	500.00
Oslo.....	1,500.00	1,000.00	1,500.00	500.00
Prague.....	1,500.00	1,000.00	1,500.00	500.00
Sofia.....	1,500.00	1,000.00	1,500.00	500.00
Stockholm.....	1,450.00	1,000.00	1,500.00	500.00
Vienna.....	1,500.00	1,000.00	1,500.00	500.00
Calcutta.....	1,000.00	1,000.00	1,500.00	500.00
Sydney.....	1,000.00	1,000.00	1,500.00	500.00
Tangier.....	1,000.00	1,000.00	1,500.00	500.00
Teheran.....	1,500.00	1,000.00	1,500.00	500.00
Addis Ababa.....	1,500.00	750.00	1,000.00	250.00
Asuncion.....	1,500.00	750.00	1,000.00	250.00
Baghdad.....	500.00	750.00	1,000.00	250.00
Bangkok.....	1,450.00	750.00	1,000.00	250.00
Jerusalem.....	500.00	750.00	1,000.00	250.00
Kovno.....	750.00	750.00	1,000.00	250.00
La Paz.....	1,500.00	750.00	1,000.00	250.00
Managua.....	1,500.00	750.00	1,000.00	250.00
Monrovia.....	1,500.00	750.00	1,000.00	250.00
Port au Prince.....	1,500.00	750.00	1,000.00	250.00
Quito.....	1,500.00	750.00	1,000.00	250.00
San Jose.....	1,500.00	750.00	1,000.00	250.00
San Salvador.....	1,500.00	750.00	1,000.00	250.00
Santo Domingo.....	1,500.00	750.00	1,000.00	250.00
Tallinn.....	750.00	750.00	1,000.00	250.00
Tegucigalpa.....	1,500.00	750.00	1,000.00	250.00
Tirana.....	1,500.00	750.00	1,000.00	250.00

Representation allowances—Continued

	1931 as allo- cated in support of estimate	1931 as actually allocated	1932 as proposed to be allo- cated	1932 increase over 1931
Wellington.....		\$750.00	\$1,000.00	\$250.00
Batavia.....		500.00	750.00	250.00
Beirut.....	\$500.00	500.00	750.00	250.00
Danzig.....		500.00	750.00	250.00
Hong Kong.....		500.00	750.00	250.00
St. Johns.....		500.00	750.00	250.00
Algiers.....			500.00	500.00
Colombo.....			500.00	500.00
Gibraltar.....			500.00	500.00
Hamilton, Bermuda.....			500.00	500.00
Nairobi.....			500.00	500.00
Nassau.....			500.00	500.00
Saigon.....			500.00	500.00
Seoul.....			500.00	500.00
Singapore.....			500.00	500.00
Tunis.....			500.00	500.00
Funchal.....			250.00	250.00
Lourenco Marques.....			250.00	250.00
Malta.....			250.00	250.00
St. Michaels.....			250.00	250.00
Tananarive.....			250.00	250.00
Total.....		92,000.00	125,000.00	33,000.00

I will attach hereto a table taken from the Executive order, which designates the capitals of countries where there are no diplomatic missions, and where consular offices at such places may be granted representation allowances. Some of the places appear in the table above set out, to which allocations have been made, and it is probable that other places in the list will be included if the appropriation of \$125,000 is approved. With conditions that now obtain in our own country, who can justify an appropriation like this to be expended in foreign countries?

The following is the table taken from the President's order:

Capital and country

Aden.....	Aden.
Algiers.....	Algeria.
Baghdad.....	Iraq.
Barbados.....	British West Indies.
Batavia.....	Java.
Beirut.....	Syria.
Belize.....	British Honduras.
Calcutta.....	India.
Colombo.....	Ceylon.
Curacao.....	Netherlands West Indies.
Dakar.....	Senegal.
Danzig.....	Free City of Danzig.
Funchal.....	Madeira.
Georgetown.....	British Guiana.
Gibraltar.....	Gibraltar.
Hamilton.....	Bermuda.
Hong Kong.....	Hong Kong.
Jerusalem.....	Palestine.
Kingston.....	Jamaica.
Lagos.....	Nigeria.
Leopoldville.....	Belgian Congo.
Lourenco Marques.....	Mozambique.
Luxemburg.....	Luxemburg.
Malta.....	Malta.
Martinique.....	French West Indies.
Monaco.....	Monaco.
Nairobi.....	Kenya.
Nassau.....	Bahamas.
Saigon.....	French Indo-China.
St. Johns.....	Newfoundland.
St. Michaels.....	Azores.
San Marino.....	San Marino.
Seoul.....	Chosen.
Singapore.....	Straits Settlements.
Suva.....	Fiji Islands.
Sydney.....	Australia.
Tahiti.....	Society Islands.
Taihoku.....	Taiwan.
Tananarive.....	Madagascar.
Trinidad.....	Trinidad.
Tunis.....	Tunisia.
Wellington.....	New Zealand.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. ACKERMAN. Mr. Chairman, I yield myself 10 minutes. Mr. Chairman and members of the committee, for more than 50 years this country has been trying to build up

and organize a trained Diplomatic Service to represent and protect the ever-growing American interests in foreign countries.

You have all heard the stories of our foreign representatives abroad who in the past have either had to live over a grocery store or to possess a large fortune of their own. It became a notorious fact that our ambassadors and ministers must be chosen from the ranks of the wealthy, because the unavoidable expenses of adequate and fitting representation of our country were far in excess of the salaries paid to them.

It has been my good fortune to visit many of these missions in all parts of the world, so I can speak with somewhat of a personal touch with regard to what I am saying.

The salaries of ambassadors and ministers have remained unchanged for years, though salaries of consular officers have been raised to some extent. It is true that Congress has also granted relief by adopting the policy of purchasing or constructing our own buildings abroad, and by appropriating allowances for rent. A great improvement has taken place in our Foreign Service in recent years, but in one respect—representation allowances—we still lag lamentably behind other governments.

The Rogers Act of May 24, 1924, authorizes the President to grant—

To diplomatic missions and to consular offices at capitals of countries where there is no diplomatic mission of the United States, representation allowances out of any money which may be appropriated for such purposes from time to time by Congress, the expenditure of such representation allowances to be accounted for in detail to the Department of State quarterly under such rules and regulations as the President may prescribe.

It was not until last year, however, that the first appropriation under this authority was made. Congress granted \$92,000 for this purpose; but it is now found that \$125,000 will be needed to cover this item in a fitting manner, and this is the sum requested.

Representation allowances are for the purpose of paying the legitimate and official and unavoidable expenses of representation at our diplomatic missions and certain consular offices abroad. Last year the Secretary of State pointed out this weak spot in our foreign representation. He called attention to the fact that the majority of our Foreign Service officers are dependent upon their salaries.

Yet there is no way of avoiding, nor could we permit them to avoid, the proper observance of a national holiday. Such observance abroad invariably takes the form of an official reception or banquet, to which the higher officials of the foreign government are invited. Our diplomatic missions and certain consulates are therefore under the distinct obligation of holding several official functions of this sort every year. Such functions are given at considerable expense and the payment of the bills has heretofore fallen upon the officers themselves.

Foreign Service officers stationed at seaports are obliged to follow a certain procedure when ships of our Navy visit their posts. It is necessary for them to receive the officers of the ships, and to invite to their homes the corresponding officers of the local government. This is a necessity dictated by custom, and is quite unavoidable. Our Foreign Service officers have not hesitated in this duty, but heretofore they have been obliged to pay the bills themselves and to bear this great drain upon their resources. Many of them have had to make great sacrifices in order to do it.

I remember two years ago when the chairman of the subcommittee and myself were present in Barcelona. At that time a training ship arrived having several hundred of our midshipmen on board. They had to be entertained, and, of course, it cost a great deal, and that cost was borne by the consul general at Barcelona. Thirteen hundred people were present at this function and naturally the cost was exceedingly high.

Mr. BLANTON. Will the gentleman yield?

Mr. ACKERMAN. For a question.

Mr. BLANTON. For information?

Mr. ACKERMAN. Yes.

Mr. BLANTON. The gentleman spoke of our Foreign Service having improved very much since the Rogers Act of 1924.

Mr. ACKERMAN. I believe it has.

Mr. BLANTON. In what way have the 123,000,000 people of the United States been benefited by that improvement? We are in the worst situation we have ever been in and millions of our people are now starving in the cities and on the farms. Will the gentleman explain how the people at home have been benefited by the improvement of our Foreign Service?

Mr. ACKERMAN. I decline to yield further.

Failure on the part of any of our representatives to do the right thing on such an occasion, avoidance of properly observing the Fourth of July or Washington's Birthday, would be immediately denounced by our patriotic citizens. These things must be done. They are functions performed for the benefit of our country and in no way for any personal benefit of our foreign representatives. Therefore, there can be no question as to whence the funds should come to pay for them. They are direct official obligations of the Government, and our officers should not be called upon, nor permitted to pay for them out of their personal funds.

In addition to the proper observance of holidays, and the extending of courtesies in connection with the visit of naval vessels, there is also the return of courtesies to local authorities and various other official obligations of a similar sort.

These official expenses were paid last year out of the appropriation for representation allowances. Our representatives abroad confidently expect the practice to be continued. The sum of \$125,000 requested is very modest and is much less than the sums provided by other governments for similar expenditures.

If I figure correctly it is an expenditure of \$1 for every 1,000 of population in the continental United States.

Practically every foreign government has recognized the necessity of representation allowances for years. In the British Foreign Service, for instance, every diplomatic official from chief of mission to third secretary receives a representation allowance. Allowances averaging over \$14,000 each are paid to 43 chiefs of missions in the British service, and allowances averaging over \$1,900 each to 84 diplomatic secretaries and 31 other officers. In the United States alone there are 18 British consular posts receiving local allowances averaging over \$4,000 each.

Mr. COLE. Will the gentleman yield?

Mr. ACKERMAN. Yes.

Mr. COLE. Will the gentleman state how much the British ambassador receives in the way of an allowance?

Mr. ACKERMAN. I did not mention the ambassador's salary, but I mentioned British consular posts.

Mr. COLE. It is probably \$100,000.

Mr. ACKERMAN. Probably. Another example is the Japanese Government, which provides its minister to Canada with salary and allowance of approximately \$32,000 per year, whereas the American minister to Canada receives a salary of \$10,000, rental allowance of \$3,000, and representation allowance of \$2,000, a total of \$15,000, or less than half the amount received by his Japanese colleague. The salary and representation allowances of German diplomatic officers are generally much higher than those paid to similar officers in the American service, and many further examples of this sort may be cited.

There is a question of the prestige of the United States involved in this matter and one of enhancing the effectiveness of its representatives. Such questions can not be set aside. Congress has shown its interest in the making of a Foreign Service fitting to the needs of our country, and it is urged that this important item be supported by the membership of this body.

For the information of the committee I refer you to pages 197-202 of the State Department hearings in connection with this bill, where you will find a complete picture of the necessity for this appropriation and a statement showing the

relatively small amounts to be granted to each foreign post. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The question was taken; and on a division (demanded by Mr. BYRNS) there were—ayes 53, noes 67.

Mr. BYRNS. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. ACKERMAN and Mr. BYRNS.

The committee again divided, and the tellers announced that there were—ayes 62, noes 88.

So the amendment was rejected.

Mr. GRIFFIN. Mr. Chairman, I offer an amendment: Page 14, line 15, strike out "\$125,000" and insert "\$92,000," making the appropriation the same as last year.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. GRIFFIN: On page 14, in line 15, strike out "\$125,000" and insert in lieu thereof "\$92,000."

The amendment was rejected.

Mr. OLIVER of Alabama. Mr. Chairman, I do not insist on my point of order.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

RADIO DIVISION

Wireless communication laws: To enable the Secretary of Commerce to enforce the acts of Congress "to require apparatus and operators for radio communication on certain ocean steamers" and "to regulate radio communication" and carry out the provisions of the international radiotelegraphic convention, examine and settle international radio accounts, including personal services in the District of Columbia, and to employ such persons and means as may be necessary, traveling and subsistence expenses, purchase and exchange of instruments, technical books, tabulating, duplicating, and other office machinery and devices, rent and all other miscellaneous items, including rubber gloves, aprons, rubber boots, and necessary expenses not included in the foregoing, \$500,000, of which amount not to exceed \$70,000 may be expended for personal services in the District of Columbia.

Mr. GRIFFIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have just discussed the matter of representation allowances. I opposed the amendment of my good colleague from Tennessee to strike out the representation allowance of \$125,000, because I feel that Congress ought in good faith to comply with the law.

Representation allowances to our diplomatic officers abroad in my opinion are necessary. Their salaries are small, wholly inadequate, wholly out of comparison with the salaries paid to the diplomatic representatives of Great Britain and other great nations.

There are certain formal receptions every year at foreign capitals and diplomatic posts which our representatives are obliged to reciprocate—not because they want them but because they are necessary to uphold American prestige. The expense ought surely not come out of their more or less meager salaries.

Furthermore, I do not believe we ought to encourage or perpetuate the idea that only wealthy men can hold these positions in representing the United States. It is not very consistent with the idea of democracy to select the very wealthiest men in the nation to act as our representatives abroad, and yet none but wealthy men can afford to accept these posts.

While I believe the provision of the law is just and in line with our democratic principles; on the other hand I do not believe the State Department should be encouraged to increase this item year by year as they appear to be doing. I call your attention to the summary on page 157 of the hearings.

Last year we allowed our representatives \$92,000. I think this is adequate until at least all the men holding such positions at the various consulates are provided for. I think this should be done before any attempt is made to increase the allowance at the big embassies and legations. The al-

lowance at Berlin has been increased this year from \$2,500 to \$3,000, and so on down the line there is an increase of \$500 to all of these diplomatic representatives. There is \$3,000 in the bill this year for the first time to provide for our consulates at Algiers, Colombo, Gibraltar, Hamilton, Bermuda, and Nassau. That is proper and just and fair, but to give increases to all the representatives who are enumerated on this page of the hearings I think is rather extravagant. We ought to be just before we are generous. That is why I offered my amendment to reduce the appropriation in this year's bill to the same amount which the bill of last year carried, namely, \$92,000.

The CHAIRMAN (Mr. CHINDELOM). The time of the gentleman from New York has expired.

DISTINGUISHED VISITORS

Mr. McCLINTIC of Oklahoma. Mr. Chairman, I rise in opposition to the pro forma amendment and ask unanimous consent to proceed out of order for two minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCLINTIC of Oklahoma. Mr. Chairman and gentlemen of the committee, one of the greatest acts in connection with the opening up of Oklahoma, which was then Oklahoma Territory, was a great run authorized by this body, in which about 100,000 people seeking homes broke over the line at a signal given by soldiers stationed for a distance of about 200 miles along the Kansas line. Miss Edna Ferber has written a great novel in which she has depicted many of the stirring events that took place on that occasion. Consequently, all of Oklahoma is interested in having portrayed to the balance of the Nation scenes such as those that took place on that occasion.

We have in the gallery to-day three great artists who took part in the filming of this play and I have taken this opportunity to introduce these artists, as many of you have seen them on the screen at different times in the past. They are Mr. Richard Dix and Miss Estelle Taylor, who take leading parts, and Mr. Ruggles, who directed the picture. [Applause, the guests in the gallery rising.] I thank the House for granting me this opportunity.

DEPARTMENTS OF STATE AND JUSTICE AND THE JUDICIARY, AND DEPARTMENTS OF COMMERCE AND LABOR APPROPRIATION BILL

Mr. PARKS. Mr. Chairman, I rise in opposition to the pro forma amendment and ask unanimous consent that I may proceed for 10 minutes out of order.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to proceed out of order for 10 minutes. Is there objection?

There was no objection.

Mr. PARKS. Mr. Chairman, I do not rise at this time to discuss this particular amendment or this section of the bill, although with the feeling I have in my heart at this hour for my suffering people I could very well devote my attention to it.

This morning a bill was referred to the Committee on Appropriations that carried for the relief of suffering humanity \$25,000,000 to be distributed through the Red Cross. As I understand it that bill was referred to the committee for the purpose of having a hearing and to delay. If the Committee on Appropriations—every single member of that committee—is not familiar with the conditions in this Nation that has prompted the Senate to pass the bill with an amendment, then I say they are the only men in the civilized world that have not the information they are demanding at that hearing.

What are the facts? Yonder in Michigan they had a food riot last week; in Ohio came an appeal from a school-teacher who said that out of 135 children in her school there was not one well nourished, and when she looked into their lunch baskets there was only a cold potato or a piece of cold bread or a piece of cold meat for lunch. She appealed to the Red Cross and asked them if they could not come down and aid her so that she might nourish the

bodies of these innocent little children to enable them to go to school.

Have you read the report of the Red Cross that came from St. Louis? Have you read the report of the Red Cross that came from the State of Arkansas? Have you read what the governor of our State has said officially in regard to our drought-stricken State, and of the great number of people who are without food and clothing in midwinter?

Did you hear that appeal that came over the radio last night? If this Committee on Appropriations had been listening in and had heard those great men, they would not be asking for a hearing now. Did you hear the President in his magnificent appeal at this late hour—did you hear the Red Cross chairman—did you hear ex-President Coolidge make that stirring appeal? Did you hear Al Smith appeal, in the same humanitarian way that he always does, to feed the children and the hungry? And, above all, did you hear that sweet little actress, Mary Pickford, in the great walled city of New York, 1,500 miles from the barren fields and the empty cupboards of my State, as her golden voice floated out through the illimitable realm of God, appeal to you to feed the starving children of my State?

I have not thought much of the moving pictures—they distress me and I seldom see them—but the appeal that came from that little woman last night undoubtedly came from a Christian heart filled with the milk of human kindness. And as she pleaded for my distressed people, in my imagination I could see the angels as they sat within the jasper walls of the "kingdom come" open the doomsday book and write upon its leaves of gold to the eternal credit of this golden-hearted woman, Mary Pickford. The doors of Arkansas' homes are forever open to her.

Did you hear that world character, Will Rogers?

Last night he was giving his time in the capital city of my State to the starving people out there, and before he left here at sunrise of the same day he drew his check for \$5,000—\$2,500 to be given to his native State of Oklahoma and \$2,500 to the native State of his beloved wife, Arkansas, that he might relieve distress and suffering; while here sit men with hearts of stone and deny to these people the bread that ought to be given to them. I am not surprised that the gentleman from Minnesota [Mr. KNUTSON] should stand around and ask us what Arkansas is doing. I can tell him. They are dividing their goods. A man with two suits of clothes is giving one to his neighbor.

Every day when the children assemble in the schools the people in the various towns take them a warm luncheon and provide them with whatever clothing they need, and in their distress have given their Red Cross quota. I appeal to you to-day, with the zeal of a bleeding heart and the earnestness of a yearning soul, that you do not turn your back upon them in that committee yonder. I am not surprised that the gentleman from Minnesota [Mr. KNUTSON] should make a jocular remark at a time like this. He has never yet felt the clutch of a baby's hand in his and the pure lips of his own pressed to his in affection and love. He has never come home at night to see the glad, tottering little feet of the children as they rushed to meet him at close of day and put their arms lovingly around his neck. I am not surprised that bleeding and starving children do not appeal to him, but they do to men who have hearts in their bodies. I call to you people from every section of this land to listen to the cry of these starving people. Can you not hear their cries and moans? Can you not feel in your hearts the appeals of children and men and women who are starving? They are not starving because of any fault of their own. It seems that the wrath of God has fallen upon them not once, but more than once. Floods came and swept away their all in 1927, and then the drought this past year. Yet they struggled and have done everything on earth that is humanly possible to save themselves without appealing to the Nation. They have done their part in peace and in war. Let us go back to Will Rogers. He has no interest in it personally, except as a great-hearted human being. Through me the people of Arkansas send him a grateful

message and when they come, in the final hour, to build a monument to the men and women they love, high above all the others they will chisel the name of that great comedian, that wit, that humorist, and, above all, that great philanthropist, Will Rogers, for what he has done for our suffering folks. [Applause.]

The Clerk read as follows:

Air-navigation facilities: For the establishment and maintenance of aids to air navigation, including the equipment of additional air-mail routes for day and night flying; the construction of necessary lighting, radio, and other signaling and communicating structures and apparatus; repairs, alterations, and all expenses of maintenance and operation; investigation, research, and experimentation to develop and improve aids to air navigation; for personal services in the District of Columbia (not to exceed \$153,380) and elsewhere; purchase, maintenance, operation, and repair of motor-propelled, passenger-carrying vehicles, including their exchange; replacement, including exchange, of not to exceed four airplanes, maintenance, operation, and repair of airplanes, including accessories and spare parts and special clothing, wearing apparel, and suitable equipment for aviation purposes; and for the acquisition of the necessary sites by lease or grant, \$8,972,640: *Provided*, That no part of this appropriation shall be used for any purpose not authorized by the air commerce act of 1926.

Mr. BLANTON. Mr. Chairman, I move to strike out the figures "\$8,972,640" in line 9, on page 57.

The CHAIRMAN. Is that a pro forma amendment?

Mr. BLANTON. It is. By a very close teller vote the Committee of the Whole House on the state of the Union has approved an item of \$125,000 to be used by our foreign representatives in entertaining abroad. The distinguished gentleman from New Jersey [Mr. ACKERMAN], who has charge of this matter, when he was speaking—and he had charge of all of the time on the other side of the aisle—spoke of the Foreign Service having been materially improved within the last few years, and stated that it is continually improving because of the passing of the Rogers Act and of the extra appropriations that we have been making.

If you will get the RECORD at the time the Rogers Act was passed you will find that I made then on the floor of this House what was practically a one-man fight against the bad provisions of that measure. I was not against the main purposes of the measure, but I called attention to the abuses that we would find would occur from it unless we put some limitation in that measure which would control expenditures abroad. I said that there would be abuses such as have been inveighed against by the gentleman from Tennessee [Mr. BYRNS] and the gentleman from Alabama [Mr. OLIVER].

The day before yesterday our friend from Maryland [Mr. LINTHICUM] spoke at length upon the new buildings which had been purchased for our embassies abroad. The gentleman from Maryland has been entertained abroad, in Rome and in other places, and you will find every man who fought the battle for the Rogers bill and every man who appeared here fighting for this \$125,000 entertainment provision are men who have been entertained abroad in these foreign embassies from time to time, and they are willing to have the people's money spent for this entertainment, from which they get some benefit personally.

Our friend from Maryland spoke of our just having expended 21,000,000 lire for the embassy in Rome. He said that we were fixing to spend \$1,800,000 for the Blucher Palace in Berlin, and \$1,200,000 for an office building in Paris on the Place de la Concorde.

Mr. OLIVER of Alabama. The gentleman has reference to the place in Argentina. They have already spent that.

Mr. BLANTON. Yes; they have already spent a huge sum for the palace in Argentina, which is to be furnished magnificently. And after his visit there he is arranging for us to spend \$200,000 renovating our 300-year-old palace in the city of Prague. The gentleman spent quite a while trying to convince this House that the newspaper in Baltimore was incorrect in calling the Berlin embassy a "palace." Why? Because he knows the American people are against palaces. And he objected to the press calling our embassy buildings in Rome the Royal Pavilions. He knows that the people of the United States are against royal pavilions.

They want a man to live decently, but they want him to live like an American citizen.

I asked the distinguished gentleman from New Jersey [Mr. ACKERMAN], and he could not reply, to tell us in what way the 123,000,000 people of the United States had been benefited by this expensive so-called betterment of the Foreign Service. He could not do it. I want one man in this House right now who supported that \$125,000 royal entertainment fund to be spent abroad to get up here in my time and tell me one benefit that the people of America have obtained from it.

Mr. ERK. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Yes; briefly, but not all of my time.

Mr. ERK. The gentleman asked for one man to stand up who supported the measure and tell him some benefit. It is a matter of figures, a simple matter in arithmetic. I made a statement on the floor of the House a few days ago—

Mr. BLANTON. Oh, if the gentleman is going to make a speech, I can not yield.

Mr. ERK. I will answer the gentleman. If you went out and borrowed this money to put up these buildings we would still say in comparison to the rents that we are paying—

Mr. BLANTON. That is not an answer to my question.

The people in the United States to-day, in the cities and on the farms, are in worse condition than they have been for 50 years. They are starving in the big cities. You can not go out to the farms and make the farmers believe they are being benefited by the extra money we have been spending abroad. You can not make the starving people in the cities or on the farms believe they are getting any benefit from this extra expensive Foreign Service. It has not benefited them one penny. Of course, we must have proper service abroad. But the people now starving are not in favor of spending this \$125,000 for special entertainment abroad.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. OLIVER of Alabama. If the gentleman from Pennsylvania [Mr. ERK] who propounded the inquiry, will make an estimate of what we had paid in Argentina for rent and then compute interest on \$1,400,000, he will find that paying rent is far cheaper than buying a palace at \$1,400,000.

Mr. BLANTON. But you Republican Members who have supported this proposition to spend \$125,000 for foreign entertainment abroad will be given a chance before this bill is finally disposed of this evening to go on record on that proposition and let the people know where you stand on it, for we are going to have a roll call on it. You will find your people, when you go home, will call you to account for providing \$125,000 in this critical period for foreign entertainment abroad when you have delayed and put off indefinitely to-day a bill which would give them food; give starving men and women and their little children who are suffering in the cities food at this critical time.

The press yesterday correctly said that this bill which carries that food provision would be sent back to the committee in order to kill it, in order to kill that provision. That is just exactly what was done this morning. It was sent back to the committee to kill it. You could not bring it up in the House and let us vote on it because your Republican administration knows that if you brought that \$25,000,000 food provision on the floor of the House the membership of this House would pass it. You could not control them. They would break from your domination, and they would vote to give starving people food at this crucial time, and you have kept them from it.

The CHAIRMAN. The time of the gentleman from Texas [Mr. BLANTON] has expired.

Mr. WILLIAM E. HULL. Mr. Chairman, I ask unanimous consent to speak for two minutes out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. WILLIAM E. HULL]?

There was no objection.

Mr. WILLIAM E. HULL. I would like to reply to the gentleman from Alabama [Mr. OLIVER], regarding what the gentleman said relative to the rentals paid in Argentina. Three years ago I was a member of a commission which went there and the house which the Government rented was a disgrace to the Nation. It was a dark, dingy place; even the paper was hanging from the walls. I say to you that these places which we have down through the South American countries were a disgrace to this country, and none of us should object to providing decent places for our foreign representatives.

Mr. LINTHICUM. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not rise for the purpose of answering my good friend from Texas [Mr. BLANTON] because I made a speech on that subject the other day, and I think it fully covered all he has asserted to-day. The gentleman from Texas is a rather peculiar gentleman anyway. One day he praises me to the skies and then the next day he does just the opposite. Still I love him just the same.

What I want to say is with reference to this property in Berlin, of which the gentleman from Tennessee [Mr. BYRNS] has spoken. I do not think the House should go without some information as to that property. This particular property in Berlin, the Government of the United States has been trying to buy for some years, but it has, until now, been unable to do so. The truth is it has not yet done so, but we hope to do so. We have made an offer, but that offer has not been accepted.

The property is right at Brandenburg Gate. There is no more favorable location in the entire city of Berlin. When you remember that Berlin is the largest city on the European Continent, you may imagine that this splendid location means something. Berlin now has more than 4,000,000 inhabitants. I think the last census showed something like 4,500,000.

The particular property which the United States Government wants and has been trying to get for years is Blucher Palace. Now it is called a palace. My friend from Texas [Mr. BLANTON] is amused at that. Up in my country if a man owns a tract of land we call it a farm. If he owns a tract of land in my friend's State of Texas, they call it a ranch. So it is with buildings. A man may own a magnificent home in America and it is called a house. If he owned that same home in Paris, Berlin, or London, they would call it a palace. So, the word "palace" abroad means that it is a rather fine home.

Mr. KNUTSON. Will the gentleman yield?

Mr. LINTHICUM. I yield.

Mr. KNUTSON. Germany has a fine embassy in this city, has it not?

Mr. LINTHICUM. Certainly.

Mr. KNUTSON. Will the Government ever have an opportunity to buy property cheaper or acquire buildings cheaper than right now?

Mr. LINTHICUM. They will not. This is the most opportune time, except immediately after the war closed, in which to purchase property.

Mr. BYRNS. Will the gentleman yield?

Mr. LINTHICUM. I yield.

Mr. BYRNS. The gentleman said it was anticipated to spend \$1,800,000, and that is exclusive of the furniture? That was just to purchase the building?

Mr. LINTHICUM. Yes; that is correct.

Mr. BYRNS. How much will it cost to maintain a building of that sort, with all the servants and everything that is required and expected?

Mr. LINTHICUM. I will have to answer the gentleman in another way. Let me go along and I will answer that question later.

This property in Berlin is right at Brandenburg Gate. One front of it is on the Parisa Platz, right opposite the French Embassy. The other front is around on Tiergarten side, so this Government wants to get that property for this purpose: The part on Parisa Platz, which is really a projection of Unter den Linden, we hope to make into an embassy

for the ambassador's home. The other part, facing on the Tiergarten, the most beautiful park in Berlin, and one of the most beautiful parks in the world, we intend to make an office building, and we are already occupying a part of it as offices under rental by the United States Government. The entire tract consists of 66,962 square feet. Allowing \$700,000 for the building, which it is easily worth, will leave \$16 a square foot for the finest piece of property, I should say, in the great city of Berlin and at the most strategic point and most accessible to Americans visiting that great capital.

Mr. BLANTON. Will the gentleman yield?

Mr. LINTHICUM. Let me finish my statement and then I will yield. Allowing that for the buildings which it is estimated to be worth, leaves \$16.40 a square foot for the land.

When the property in Washington was bought for the Hay-Adams house they paid \$50 a square foot. When the property was bought in Rome we paid \$9 a square foot. When we bought property in Paris on Place de la Concorde we paid \$30 a square foot. So, when you come to calculate the purchase price of \$1,798,561, it is thought by those who know about it, not to be an exorbitant price. A number of Congressmen who attended the Interparliamentary Union took occasion to look at this property and at other properties, and when they saw this location and this property, they said, "This is the place for the United States Embassy and its officers."

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for two more minutes, so that he may yield when importuned to do so.

The CHAIRMAN. Without objection, it is so ordered.

Mr. SHREVE. Mr. Chairman, what is before the House now?

The CHAIRMAN. A pro forma amendment.

Mr. BLANTON. Will the gentleman yield to me?

Mr. LINTHICUM. I yield.

Mr. SHREVE. Mr. Chairman, I would like to direct the attention of the membership of the House to a matter, and I ask unanimous consent to speak for one minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania [Mr. SHREVE]?

There was no objection.

Mr. SHREVE. We are endeavoring to finish this bill by 5 o'clock. There is a session of the House to-night. Another appropriation bill is waiting to come on, and this outside talk should be eliminated as far as possible.

Mr. BLANTON. I intend to be at that night session and attend its entire proceedings.

Mr. SHREVE. This is just water over the dam.

Mr. BLANTON. But the gentleman from Minnesota [Mr. KNUTSON] butted in.

Mr. KNUTSON. Not any more than the gentleman from Texas did. I object to the term "butted in," Mr. Chairman. That language is not parliamentary.

Mr. STAFFORD. Oh, it is accepted English.

Mr. BLANTON. Of course.

The CHAIRMAN. The gentleman from Maryland is recognized for two additional minutes.

Mr. BLANTON. And the gentleman from Maryland has yielded to me, I understand.

Mr. LINTHICUM. I yield to the gentleman from Texas.

Mr. BLANTON. I am not surprised that our friend from Minnesota [Mr. KNUTSON] is in favor of foreign entertainment, because when he goes abroad he is so favored when returning that the Secretary of the Navy furnishes him his official yacht, *Sylph*, to meet his ship and bring him into the Capital.

Mr. LINTHICUM. In answer to the question of the gentleman from Tennessee [Mr. BYRNS], which, as I remember, was how much it would cost to maintain this embassy in Berlin.

The answer to that is that this whole property is not to be used as the home of the ambassador. Eighty per cent of it is for an office building to house all the Government officials in Berlin, the chancery, and everything.

Mr. STAFFORD. Has the gentleman any figures to show what is the cost of maintenance in any of these large palatial residences which the Government of the United States has established in recent years?

Mr. LINTHICUM. I presume they have them at the State Department, but I do not have them here.

Mr. BYRNS. Will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. BYRNS. Take Argentina. There the building is purely a residence.

Mr. LINTHICUM. Yes.

Mr. BYRNS. How much will it cost to maintain that building?

Mr. LINTHICUM. I should say it can be maintained for very little money. The property is built in such a way that it will require very few servants, and the garden is not so terribly large. I should say that the Argentine property could be maintained for a very small sum of money in comparison with what we expend in this country. The owner, Doctor Box, told me that six servants, including gardener and chauffeur, cared for it for him.

Mr. BYRNS. They have \$70,000 worth of furniture in a property worth \$1,400,000. Does not the gentleman think it would take at least \$50,000 or \$75,000 to maintain that building?

Mr. LINTHICUM. That is preposterous.

The CHAIRMAN. The time of the gentleman from Maryland has again expired.

The pro forma amendments were withdrawn.

The Clerk read as follows:

Promoting commerce in Africa: Investigations in Africa for the promotion and development of the foreign commerce of the United States, \$105,940.

Mr. BYRNS. Mr. Chairman, I move to strike out the last word. I have always been a very earnest advocate of the work being done by the Bureau of Foreign and Domestic Commerce. I think that bureau has done a splendid service, and I have not only never opposed any appropriation that was offered for the extension and development of its work but I have on occasions offered amendments on this floor to increase the appropriations recommended by the Appropriations Committee which I did not think at the time were sufficient. I merely cite that to show that I am certainly not here in a spirit of opposition to the Bureau of Foreign and Domestic Commerce in its legitimate work, those things for which it is intended. But here we have this sort of a proposition—and I do not say this by way of personal criticism. I have a very great admiration for Doctor Klein, who was the chief of the bureau until he was made Assistant Secretary in the Department of Commerce. He is a very able, a very earnest, and a very enthusiastic man, but I have an idea that his enthusiasm is possibly running away with his judgment. Sometimes that has been known to happen.

I remember that a number of years ago it was planned to establish what they called district or cooperative offices throughout the country to receive the reports and information that came from our foreign representatives abroad, from commissioners and foreign agents. The matter was taken up, as I recall, when Mr. Madden was chairman of the Appropriations Committee, and, while my memory may be at fault, I have a distinct recollection at that time there were something like eight or nine of these offices located at strategic points and to which there certainly was no objection. The question came up as to how many more offices were to be created and I got the distinct understanding that there were only a few more to be established; that it was not the intention to locate these offices throughout the country and in practically every State of the Union, as has been done since that time. I was very much surprised, when my attention was called to a speech made by Doctor Klein at Charlotte, N. C., last fall, in which he went on to talk about the great service rendered by that office in Charlotte, and to learn that he had indicated that another office was going to be opened within a hundred or two hundred miles

of Charlotte, in an adjoining State. That caused me to begin to look into the proposition.

I find that now they have 33 district or cooperative offices located throughout the United States, some of them within 150 miles of each other. There is no excuse for that. What are these offices for? They will tell you that they are offices established in the cities for the purpose of placing a Government agent or employee in them, with a stenographer and probably more clerks furnished by the Government, at a cost of \$15,000 a year for each office. For what purpose? To enable those who wish to export goods to foreign countries to be able to come into these offices and talk with them about the information which that office receives from the main office, and which this office has received from its foreign representatives. I realize that there may be some advantage in having 8 or 10 such offices located at strategic points—out West, in the Southwest, at Chicago, and in certain other cities—but I say it is a waste of public funds to place 33 offices, costing \$710,000 a year, in every town whenever a Congressman or Senator asks for it. I think there ought to be a stop put to them. I think that some of those offices ought to be abolished, because they do not serve any good purpose.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BYRNS. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BYRNS. If an exporter wants information, can he not spend \$5 or \$6 over the telephone? Can he not telephone to Washington for the information and get it the next day by air mail? Why is it not worth \$50, \$75, or \$100 to get on the train and come to Washington to the headquarters where he can get the information direct, rather than to go to some branch office, maybe around the corner, maintained at an expense of \$15,000 a year to the taxpayers of this country? Certainly any man who wanted that information would not hesitate to adopt that policy. You will never get these offices abolished. I do not make the charge, but I have a suspicion that it was done to build up a force here in Congress to boost these appropriations, and that is the custom of many of the departments. There are 33 of these offices, and you will find many of the Representatives of those States advocating these appropriations, and you will never have them abolished, since they have been established.

Mr. GARNER. Will the gentleman yield?

Mr. BYRNS. Yes.

Mr. GARNER. I understood the gentleman to say they have established 33 already. Suppose they establish 66. In that way they will still more completely bind the Congress to continue these unnecessary offices.

Mr. BYRNS. Precisely.

Mr. GARNER. Is it impossible to get the Committee on Appropriations, composed of 35 men, to take cognizance of this situation and strike this appropriation from the bill?

Mr. BYRNS. Well, they have not done it, I will say to the gentleman, and that is one complaint I am making right now.

Mr. GARNER. I wonder how many States and districts are interested sufficiently so that you can not get consideration by the Committee on Appropriations with respect to this unnecessary drain on the Treasury.

Mr. BYRNS. I want to say to the gentleman from Pennsylvania [Mr. SHREVE] I understand it costs \$15,000 for a district office and \$5,000 for a cooperative office, and I want to ask the gentleman what is contemplated under this appropriation. They asked for \$30,000 additional and the gentleman did not give it to them.

Mr. SHREVE. Mr. Chairman, it will only take me about a minute to tell the gentleman what the plans are. I fully agree with most that the gentleman has said this afternoon and we are through with creating district offices and I want that to go out to the country. We have about four or five applications now and I have had 100 letters from

one city wanting a district office established. This edict was issued last year. This Bureau of Foreign and Domestic Commerce in many ways was a new proposition and was a sort of experiment and we did establish these offices. I am perfectly frank to admit now that some of these offices are not functioning as they should.

Mr. BYRNS. Why does not the gentleman bring in a provision in the appropriation bill abolishing some of these offices?

Mr. SHREVE. Well, just wait and give the gentleman an opportunity, and he will do it, I will tell the gentleman that.

Mr. BYRNS. I am sorry the gentleman did not do it in this bill.

Mr. SHREVE. In this bill we cut out all the proposed advances for new offices. We have a good start now, and I may say to the gentleman that a cooperative office, in many instances, is better than a district office. Why? Because the chamber of commerce is backing the cooperative office, and out in Los Angeles for a long time they did not want a district office established there because they had a foreign department in their chamber of commerce which they felt they were justified in continuing in this work. Finally, however, we did establish a district office out there, but most of the cities are better off, because when we establish a district office it loses touch with the board of trade or the chamber of commerce, or whatever they call it. Cleveland, for instance, felt it was better to have a cooperative office right in the office of the chamber of commerce, and that is what we are proposing to do from now on.

Mr. BYRNS. The gentleman has given his assurance there will be no more district offices created or established under this particular appropriation, and, of course, I take it the gentleman has positive assurances from the department, or he would not be so positive in his statement to the Congress.

Mr. SHREVE. The department? Who is making these appointments, anyhow? It has been the Congress that has been forced to establish these offices by men coming here from all parts of the country and having them introduce special bills and then present them to the committee in such a way that we felt we had to respond. Doctor Klein has never pressed this matter. He has never said a word about it.

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. BYRNS. Mr. Chairman, I ask unanimous consent to proceed for two more minutes.

The CHAIRMAN. Without objection, the gentleman is recognized for two additional minutes.

Mr. BYRNS. Why has not Doctor Klein, if he thinks they ought not to be established, had the firmness to tell Members of Congress that they will not be established, and why does the subcommittee of the Committee on Appropriations continue to increase appropriations year after year in order that they may be established? That is what I am complaining about.

Mr. SHREVE. I have been trying to tell the gentleman that the subcommittee is through.

Mr. BYRNS. I understand that, but sometimes it is too late to lock the stable after the horse is stolen. We have now an expenditure for all time, unless it is changed, of \$710,000 for offices, many of which, I understood the gentleman to say just a little while ago, are absolutely useless and unnecessary.

Mr. SHREVE. But I will say that in the aggregate they are worth many times the amount of money they cost.

Mr. BYRNS. I would like to ask the gentleman a further question. The gentleman has referred to district offices and cooperative offices. A cooperative office costs \$5,000.

Mr. SHREVE. Five thousand dollars.

Mr. BYRNS. Does the gentleman's statement that there will be no more offices created apply to cooperative offices as well as district offices?

Mr. SHREVE. Absolutely not. There are many cities right in the gentleman's own country where they ought to

have a cooperative office. There should be such an office down in Florida, in the district of the gentleman from Florida [Mr. DRANE], right now.

Mr. BYRNS. There is an office at Charlotte and it was said that one was going to be established in Charleston. We have one at Atlanta, we have one at Memphis, at Mobile, and New Orleans, and we have them scattered all over the South, within 150 or 200 miles of each other. Certainly, business men can afford to take a trip of that distance in order to secure this information.

Mr. SHREVE. Let me ask the gentleman a question. Which one of these offices is not functioning now and which one would the gentleman have abolished?

Mr. BYRNS. I do not know, but if I were on the subcommittee I would go into it and I would know, because the gentleman himself admits that some of them are useless and unnecessary. If I had the opportunity to hold a hearing I would know just what ones ought to be abolished, and I would bring in a bill abolishing them.

Mr. OLIVER of Alabama. Mr. Chairman, I am in sympathy with the general views expressed by the gentleman from Tennessee, and, as usual, he is quite fair to confess his own wrongs. In the past he has spoken very fervently in favor of appropriations for the Department of Commerce, but it appears that he now finds he may have made mistakes in the past, and no doubt every Member of Congress feels the same way in reference to some measures previously approved. The committee, however, for some time has declined to establish, so far as this committee is concerned, additional district offices, and you will find that most of the district offices that have been established in the last few years have been established in response to action taken by the other legislative body; and you will find, further, from the hearings that our subcommittee have felt that some district offices might well be discontinued, and we placed a proviso in the bill some years ago authorizing such discontinuance of offices where rental charges were found to be excessive. Doctor Klein was in sympathy with that policy. During the hearings on this bill the committee notified Doctor Klein that we felt the time had come when we should substitute for some existing offices cooperative offices, the present cost of the average district office approximating \$15,000, while the cost of a cooperative office approximates \$5,000. Doctor Klein was not opposed to this attitude of the committee, and it is our hope that in an administrative way some district offices may be converted into cooperative offices, which action will result in substantial savings.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I rise to obtain information from some member of the committee on the difference in work between the district and the cooperative offices under the Bureau of Foreign and Domestic Commerce.

Mr. SHREVE. The district office is entirely an office of the United States Government. It has its own official family, and all information sought by manufacturers, business men, shippers, and others relating to foreign commerce is furnished by the district office. If this district office has not sufficient information they send to Washington and they receive it in a very short time.

Mr. STAFFORD. That same information could be obtained from the cooperative office in conjunction with a business association?

Mr. SHREVE. It can largely if it received the cooperation of the chamber of commerce. I have a case in my own town where we have a cooperative office and all the facilities of a district office because they cooperate, providing rent, and so forth.

Mr. STAFFORD. I notice on page 789 that district offices are generously distributed through the Southern States. Texas seems to be more favored than any State in the South or the country. Texas has 1 established at Dallas, 1 at El Paso, 1 at Galveston, and 1 at Houston. At Houston the expense is \$21,000; at Galveston, \$8,000; at Dallas, \$13,000. I notice also that in the list there is one at Charleston and one at Charlotte. I assume that they must have gained in importance recently to be entitled to a district office.

Here is one at Mobile and one at Birmingham. I would not rise in criticism of this service generally, but I wanted to inquire why two cities should have both cooperative and district offices?

Mr. SHREVE. What two cities?

Mr. STAFFORD. On page 90 there is a cooperative office at Cincinnati and one at Cleveland. If you turn to the prior table you will find that Cincinnati and Cleveland both have district and cooperative offices.

Mr. SHREVE. They could not operate together; it must be one or the other. It might be that in changing from a cooperative office to a district office somebody has inadvertently left the cooperative office in the report.

Mr. STAFFORD. I want to say that I agree partly with the criticism lodged against the establishment of these offices by the gentleman from Tennessee, and it is evidently the result of political influence without regard, in some instances, as to the real merits of establishing them.

Mr. SHREVE. I am not inclined to agree with the gentleman's statement. As long as I have been a member of the committee, we have never known of any political influence in the committee.

Mr. STAFFORD. Oh, it is the local pressure that is brought to bear on the heads of the departments to have these little favors so that offices are established in their several localities.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

District and cooperative office service: For all expenses necessary to operate and maintain district and cooperative offices, including personal services in the District of Columbia and elsewhere, rent outside of the District of Columbia, traveling and subsistence expenses of officers and employees, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories and repairs, purchase of maps, books of reference and periodicals, reports, documents, plans, specifications, manuscripts, not exceeding \$1,200 for newspapers, both foreign and domestic, and all other publications necessary for the promotion of the commercial interests of the United States, and all other incidental expenses not included in the foregoing, \$710,000: *Provided*, That the Secretary of Commerce may require as a condition for the opening of a new office or the continuation of an existing office that commercial organizations in the district affected provide suitable quarters without cost to the Government or at rentals at lower than prevailing rates. The Secretary may, at his discretion, refuse to open a new office or continue an existing office where such assistance from local commercial organizations is not provided.

Mr. HOUSTON of Hawaii. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HOUSTON of Hawaii: Page 59, line 19, strike out "\$710,000," and insert in lieu thereof "\$717,000."

Mr. HOUSTON of Hawaii. Mr. Chairman and members of the committee, I am not unmindful of the comments that have been made with respect to this subject here by the gentleman from Tennessee and various other Members, but I would remind the committee that these offices have the purpose of facilitating the distribution of produce and manufactured goods, not only in foreign countries, but in our own country, and if we can find greater markets for the goods that have been raised or manufactured within our own country, we will have spent the money to good advantage. I may point out to the committee that the domestic trade between Hawaii and the rest of the country amounts yearly to the fairly sizeable sum of \$200,000,000. Lately I received word that in October of this year we are to have a convention in Honolulu of the Pacific Foreign Trade Council, and that that is to be followed in either January or March of 1932, by the National Foreign Trade Conference in Honolulu. That information came to me in the following telegram from former Governor Farrington:

HONOLULU, January 19, 1931.

Delegate HOUSTON,
Washington, D. C.:

Pacific Foreign Trade Council meets in Honolulu October 1, 2, 3, 1931. National Foreign Trade Conference will hold 1932 meeting in Honolulu; exact date not known; probably January or March, as convenience of those interested may develop.

FARRINGTON.

Therefore it would seem to be advisable to have established in Honolulu a cooperative office, and the sum which I have offered as an amendment here would provide for such a purpose.

On page 93 of the hearings it will be found that the Director of the Foreign and Domestic Commerce Bureau did in fact want to establish a district or cooperative office in Honolulu, and provide for the same in this bill, but the Budget refused to accede to that. The Assistant Secretary of Commerce, Mr. Julius Klein, also indicates that he felt that such a bureau or office should be established, as is indicated in the following letter which I received from him:

DEPARTMENT OF COMMERCE,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, January 10, 1931.

Hon. V. S. K. HOUSTON,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I have your letter of January 7, referring to a communication addressed to you by the president and secretary of the Honolulu Chamber of Commerce concerning the establishment of an office of the Bureau of Foreign and Domestic Commerce of this department in that city.

The department, in submitting its preliminary estimates to the Budget Bureau, included an item of \$20,000 for a district office in Honolulu, but the Budget recommendations forwarded to Congress failed to carry this item. Nevertheless, in appearing before the House Appropriations Committee in support of the estimates attention was called to the need for such an office, but as the bill has not been reported it is not known whether the necessary provision has been made.

I greatly appreciate your interest in this matter, and I hope that eventually funds will be provided for an office in Honolulu.

Cordially yours,

JULIUS KLEIN.

In view of the remarks which have been made in opposition to any increase in funds for this purpose, I withdraw my amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mrs. ROGERS. Mr. Chairman, I move to strike out the last two words in order to pay my tribute to the chairman and the members of this committee for the tremendously effective work that they are doing in the development of our domestic and foreign commerce.

As a result of the steady growth of the Department of Foreign and Domestic Commerce which has been possible by the appropriations secured by the able chairman [Mr. SHREVE] and his committee the American business man has had very many avenues of trade opened to him, both at home and abroad; but still more trade openings can be made by added appropriations. Every year I have asked this committee for appropriations and every year my requests have been granted, and my gratitude is very great. The expert granted by this committee for the Boston office is proving of great assistance. This year special attention should be given to commerce in America.

To my knowledge an enormous number of requests have come from business men that the domestic service of the Department of Commerce be increased. In my own part of the country, in New England, business man after business man has requested help in the finding of markets for and bettering his trade. At this time of business depression we could spend our money in no wiser way than to improve our commerce. It is obvious that during this economic distress business men all over the country should receive special aid in their domestic problems. And there is a peculiar need for a merchandising expert in the district offices of the Department of Commerce. Merchants and manufacturers can extend their markets and reduce their costs if they can secure without cost and in the least possible time facts about buying and selling. The average merchant or manufacturer can not afford to employ a man to secure accurate knowledge of costs and markets. It is clear that personal advisory service in each district office for the use of every business man in that region would be of untold value.

The department made this survey a year or two ago of 28 grocery stores in Louisville. All but one of those stores, through the use of the marketing facts, show either increased business at the end of the year or larger profit, with

reduced costs on the amount of business previously done. Bradstreet reported last week that in face of the 1930 business depression failures in the retail grocery field in Louisville dropped from 15 in 1929 to 3 in 1930. If this survey had not been made it is probable that a number of these retail stores would have been obliged to discharge their employees. Finding employment for those out of work and keeping those who are at work employed are two of our most important duties, and, of course, if commerce fails this can not be done. Halting industry needs the Department of Commerce crutch. I have asked for additional appropriations for our foreign commerce, as we must also extend our trade abroad.

The New England council has often stressed the value of our export trade to New England and the assistance that has been given by the Department of Commerce in that direction. Occasionally a man has to be converted to the value of the service.

Only recently I saw a man who had been rather skeptical about the work that the Department of Commerce was doing in foreign countries. He makes Ayres Cherry Pectoral, a pharmaceutical remedy which is prepared in my own city, Lowell, Mass. This man heard only a short time ago that a large order of 5,000 bottles, with a probable further order, had been secured by one of the Department of Commerce representatives in Germany for that commodity, and never again will he criticize the work done by the Department of Commerce and this committee. Mr. Chairman, you perform a very great service for the people of the United States.

The Clerk read as follows:

Testing structural materials: For continuation of the investigation of structural materials, such as stone, clays, cement, and so forth, including personal services in the District of Columbia and in the field, \$333,200: *Provided*, That as much of this sum as necessary shall be used to collect and disseminate such scientific, practical, and statistical information as may be procured, showing or tending to show approved methods in building, planning and construction, standardization, and adaptability of structural units, including building materials and codes, economy in the manufacture and utilization of building materials and supplies, and such other matters as may tend to encourage, improve, and cheapen construction and housing.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. We are appropriating for the Bureau of Standards amounts running into millions largely for the benefit of private industry. The paragraph under consideration has been running for years authorizing the testing of structural materials, for which an appropriation next year is made of \$332,200. There are other items which are for the benefit of private industrial establishments. Do these industrial establishments which are directly benefited by these experiments contribute anything to the expense of the testing; and if so, to what extent?

Mr. SHREVE. Manufacturing concerns who employ the services of the Bureau of Standards in nearly every instance pay something for the privilege. It has never worked out on the same basis. It may be 40-60 or 50-50, but at what seems to be equitable. However, there is another idea back of this; and that is that the Government is interested in it, and the Government at all times has some of its own commodities tested. The whole plant could be operated on Government business; but when outsiders come in and want help and advice, they are willing always to make some large contribution.

Mr. STAFFORD. I am quite aware that many of these activities are utilized by the Government, but there are many that would not have been established if it had not been for aid to private industry.

Mr. SHREVE. That is true.

Mr. STAFFORD. Wherein there was no direct benefit that could be returned to the Government. Has the gentleman any figures to show exactly of the millions we appropriate each year for the Bureau of Standards how much is repaid by private industry for services obtained?

Mr. SHREVE. I regret that I can not answer that question, for the simple reason that I never thought to ask it. The information is available, of course, but everybody has been so satisfied with the work that this great bureau is

doing, not only for the Government but for the people at large, that we have never hesitated about it.

Mr. STAFFORD. I do not question that the people who are the recipients of special favors from the Bureau of Standards are well satisfied in getting something for nothing. I am seeking to obtain information as to how much they pay and what is the total amount they pay for these respective services. When I was giving special attention to this item 10 or 15 years back, there was no definite scale of payment for these services. I gained the idea then that it was largely an eleemosynary institution.

Mr. SHREVE. Oh, no; not at all. This is one of the greatest institutions of the Government.

Mr. STAFFORD. Oh, I do not question it is a wonderful institution, but it is eleemosynary so far as doing this work for nothing for the benefit of private interests is concerned. Here is an item, "Testing structural materials."

Mr. SHREVE. Well, just take that item, for instance. Take pavements going down all over the United States. Where do they go for their standards? They go to the Bureau of Standards. They issue a standard that is applicable for many States in the Union. All the contractors use that.

Mr. STAFFORD. And how much do they pay for that?

Mr. SHREVE. That is not a service to some particular contractor.

Mr. STAFFORD. But they receive that service for nothing.

Mr. SHREVE. The gentleman from Hawaii [Mr. Hoverton] has handed me a list of the test cases. You will notice that the test fees for 1930 were \$683,615. The number of tests was 200,728.

Mr. STAFFORD. That is the information I was seeking to obtain. In that case the Government received \$683,000 for services which are costing the Government millions of dollars.

Mr. SHREVE. The gentleman might be interested in knowing that in 1928 the fee value was \$465,117, and the total number of tests at that time was 132,213. That is a very substantial gain in the revenues of the Bureau of Standards.

Mr. STAFFORD. Is it not a fact that the Government is seeking to get more return for the services rendered?

Mr. SHREVE. Oh, certainly.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Radio research: For investigation and standardization of methods and instruments employed in radio communication, including personal services in the District of Columbia and in the field, \$85,280.

Mr. BRIGGS. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the subcommittee some questions.

What is the character of work which the Bureau of Standards is doing in this standardization of radio instruments and methods employed in radio communication? To make it a little more concrete, I would like to ask the chairman of the subcommittee if the work they are doing is really such work as they are called upon to do by private industries, or whether it is work that is done for the benefit of the public; so that the people of the United States may be given modern radio apparatus of real value at as low price as can be possibly charged, without regard to the control of patent rights by one or more of great organizations which are able to hold up the price of such radio apparatus as they please? This is a matter of so much concern to the people of the United States, who already have 25,000,000 radio sets, that I am interested to know if the Bureau of Standards is working on sets so that the people themselves may be able, at small cost, like they did at one time, to build these sets or purchase them from other builders without having to consult some patent monopoly and pay such price as it chooses to dictate.

Mr. SHREVE. The point is that this work is done for the common, everyday people, and incidentally the manufactures of radios are to some extent the beneficiaries of this work. Let me read from the hearings on page 180:

This appropriation is for investigation and standardization of methods and instruments employed in radio communication. In order to keep pace with the increasing demands for accurate frequency standardization, the bureau secured and put in operation an elaborate primary standard of frequency, the accuracy of which is unexcelled in the world. The standard is reliable to an accuracy better than one part in a million.

That shows just what they are working out. The gentleman will admit that is for the benefit of every person having a radio set. It helps him get the best results possible. That is what they are working at.

Mr. BRIGGS. I think the scientific investigation of transmission through the air is particularly valuable generally, and the Bureau of Standards has done excellent work in that field; but I am concerned here about instruments and whether the public is getting the benefit in price as well as scientific improvement as a result of these investigations; or are they being conducted primarily for the benefit of private manufacturers, for them to obtain patents, and then require the people to pay additional sums for these improvements over and above what should be charged, in consideration of the fact that the Government itself is working out these solutions?

Mr. SHREVE. In other words, the gentleman fears there may be some partiality shown for the big manufacturers in the business?

Mr. BRIGGS. I am wondering whether the work is being done at their instance or whether the Bureau of Standards is trying to develop a radio set that the people themselves can use, at low cost, which has been worked out by the Bureau of Standards and which is efficient.

Mr. SHREVE. It is my opinion that they have not got that far along yet. They are not building radio sets out there, but they are assisting all radio concerns of the United States, pointing out to them how they can better their sets.

Mr. BRIGGS. But my thought is that if the Government contributes those things there should be some requirement that those who receive the benefit of the Government investigation and services should make a corresponding return to the people in the matter of reduction in price of sets which use the improvements and receive the advantage of what the Government has developed.

Mr. STAFFORD. Will the gentleman yield?

Mr. SHREVE. I yield.

Mr. STAFFORD. I have a vague recollection that the purpose of the greater part of this research work was to try to ascertain means to prevent wave lengths overlapping so as to give better service to all users of radio throughout the country.

Mr. SHREVE. That is one part of the work.

Mr. STAFFORD. I thought that was the major part of the work; that they wanted to establish a research laboratory to try to ascertain whether there could not be some means discovered so that wave lengths would not overlap and it would give clearer reception.

Mr. BRIGGS. As the chairman says, that was one part of the work, but that is not all of it.

Mr. SHREVE. It is highly scientific and technical.

Mr. BRIGGS. My thought is whether the people are getting directly the benefits which are the result of investigations made by the Bureau of Standards, and to ascertain what the scientists of the Bureau of Standards are doing in the field of making good radio sets at low cost available to more of the people.

Mr. STAFFORD. From the argument made when this service was established I took it that the public would be the recipients of the benefits by reason of this scientific research.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Testing railroad track, mine, and other scales: For investigation and testing of railroad-track scales, elevator scales, and other scales used in weighing commodities for interstate shipments and to secure equipment and assistance for testing the scales used by the Government in its transactions with the public, such as post-office, navy-yard, and customhouse scales, and for the purpose of cooperating with the States in securing uniformity in the weights and measures laws and in the methods of inspection; for investi-

gating the conditions and methods of use of scales and mine cars used for weighing and measuring coal dug by miners, for the purpose of determining wages due, and of conditions affecting the accuracy of the weighing or measuring of coal at the mines, including personal services in the District of Columbia and in the field, \$62,060.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. It is my casual impression that the work provided for in several of these paragraphs would become static; that it would not be necessary to make the investigations each year and have a continuing appropriation. For instance, take the paragraph just preceding, gage standardization, for the standardization and testing of the standard gages, screw threads, and standards, carrying an appropriation of \$49,700. Then the paragraph under consideration, testing railroad track, mine, and other scales. I should think that work could be terminated within a year; that it would not require a continuing appropriation every year; that the investigations would be made and the results of the investigations available for the public generally. When once we establish these investigations it seems they are continued, and continued for all time.

Mr. SHREVE. For the very reason that the work continues for all time I ask the gentleman to listen to this:

The measurement and certification of the accuracy of the dimensions of master gages has constituted a large part of the work.

Every year there are gages of some sort that have to be tested and the work goes on and on. You can not stop the work and say that all the gages in the United States have been tested, and, therefore, there is no necessity for this appropriation.

Mr. STAFFORD. Take, for instance, the examination of the gages used by the Ford Motor Co. They have a separate division for testing their gages after they are in use for an hour. They do not send their gages to the Bureau of Standards.

Mr. SHREVE. I am glad the gentleman mentioned the automobile situation. Here is what is shown in the hearings:

Master gages were also submitted by many automobile manufacturers, and there was a 70 per cent increase in the number of precision blocks tested.

So the gentleman will see the work goes on.

Mr. STAFFORD. The Ford Motor Co. has a branch of its own for testing their precision gages regularly. I know that by reason of my personal acquaintance with the head of that department, the originator and creator of those precision gages. Why should the Government be rendering this service, which is primarily for the benefit of private industry, and keep on continuing it? For instance, testing railroad track, mine, and other scales. Why would not that knowledge be obtained at a certain time and then be concluded as far as any benefit to the country is concerned?

Mr. SHREVE. Well, perhaps we might some time evolve a system whereby we can lump a great many of these things together—make one appropriation and let them all come out of one lump sum.

Mr. STAFFORD. I approve of the segregation of items, but I am really seeking information as to the necessity of every year continuing this investigational work, when they have done it and apparently could complete their work in one fiscal year.

Mr. SHREVE. Because the work is of such a character that it can not be completed. There is new work coming up every year.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. SUMMERS of Washington. The Interstate Commerce Commission gave our committee some very interesting information in regard to some of the work referred to, and that was the testing of steel rails on the railroads and some very late developments that have been brought about. Although that provision has been carried for many years, it has just been accomplished within a year or within the last few years and the developments are supposed to be of very great importance to everybody who travels on the railroad

by reason of adding to the safety of travel. If that provision had been eliminated years ago we would not have had the benefit of these new developments.

Mr. STAFFORD. I realize the great benefit to the traveling public in having tests made as to the security of rails, crystalization at the ends, the effect of cold weather, and the like, but my thought was that after the investigation had once been made the work could be terminated.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For investigating the question of public use or sale of inventions for two years or more prior to filing applications for patents, and such other questions arising in connection with applications for patents and the prior art as may be deemed necessary by the Commissioner of Patents; for expense attending defense of suits instituted against the Commissioner of Patents, \$800, and for expenses of attendance at meetings concerned with the work of the Patent Office when incurred on the written authority of the Secretary of Commerce.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word for the purpose of directing an inquiry as to the very small amount of \$800 carried in this paragraph of the bill to enable the Commissioner of Patents to make investigations as to whether there has been any prior use of the inventions for which applications have been made. I was unaware there had been any authorization for this character of investigation, but if there is a sincere effort on the part of the bureau to investigate whether the patents for which applications are pending have been in prior use two years or more prior to the application, I think the amount of the appropriation should be more than \$800. It is a measely sum, indeed, for any sincere investigation as to whether there is prior use in connection with a particular patent.

Mr. SHREVE. The Commissioner of Patents is very much interested in this small appropriation. It gives him an opportunity to do something along this line although I am not prepared to say what it amounts to. He was anxious to have the appropriation and we were perfectly willing to give it to him if it was going to be used for the purpose set forth in the bill.

Mr. STAFFORD. The gentleman will notice that the \$800 is also for expenses attendant on defending suits against him.

Mr. SHREVE. That is true.

Mr. STAFFORD. If it was used for that purpose it would seem there would be nothing left for this other important work, if he intends to inaugurate that service with a view to ascertaining whether the devices have been in prior use.

Mr. SHREVE. The commissioner seemed interested in this particular item, and we were advised that the extra cost would be around \$800, for which there is no other appropriation.

Mr. STAFFORD. For defending suits or making investigations?

Mr. SHREVE. It is in connection with patent work. I can not tell the gentleman just what particular phase of the work this has reference to.

Mr. STAFFORD. I do not recall this phraseology having been carried in the bill. If we are going to authorize the Commissioner of Patents to make investigation as to whether an applicant for patent has really a bona fide case or whether the patent has been in prior use before the 2-year period which the patent law prescribes, then I sincerely submit that \$800 is such an inconsequential sum it is hardly worth referring to. It ought to be thousands of dollars to permit him to investigate whether patents have not been awarded when they have been in prior use before the 2-year period.

Mr. SHREVE. This is an item that has been running along in the bill since 1927 to my knowledge. It is not a new item.

Mr. STAFFORD. If it has been in the bill for a number of years, that shows the Commissioner of Patents has not utilized it because this small amount would not in anywise meet the expense of such a very desirable investigation.

Mr. SHREVE. It might be that it should be called to the attention of the Comptroller General so he could keep a check on it.

Mr. STAFFORD. I would suggest that it be a much larger amount. Everybody knows that a patent issued by our Patent Office is of only prima facie value. Some countries like Germany give real protection to their patentees, while patents issued by our Patent Office are only of prima facie value. They do not make the proper search, they do not go into the details, and this throws upon any person who has occasion to infringe a patent the burden of going into the district court, under a heavy expense, to attack a patent. I think a larger amount by all means should be appropriated.

The pro forma amendment was withdrawn. The Clerk read as follows:

Helium plants: For helium production and conservation, including acquisition of helium-bearing gas land or wells by purchase, exchange, lease, or condemnation, or interest in such land or wells, the purchase, lease, construction, or modification of plants, pipe lines and accessories, compressor stations, camp buildings, and other facilities for the production, transportation, storage, and purification of helium and helium-bearing gas, including acquisition of sites and rights of way therefor, by purchase, lease, or condemnation, and including supplies and equipment, expenses of travel and subsistence, maintenance and operation of motor-propelled passenger-carrying vehicles, and all other necessary expenses, including not to exceed \$6,560 for personal services in the District of Columbia, and including the payment of obligations incurred under the contract authorization carried under this heading in the Department of Commerce appropriation act for the fiscal year 1931, \$93,010: *Provided*, That in addition thereto the unexpended balance of the appropriation made under this heading for the fiscal year 1931 is reappropriated and made available for the above purposes for the fiscal year 1932: *Provided further*, That no part of the appropriation herein made may be expended except with the approval of the President: *Provided further*, That the Secretary of Commerce may, with the approval of the President, enter into contracts incurring additional obligations not in excess of \$500,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government: *Provided further*, That the acquirement of leases, sites, and rights of way under terms customary in the oil and gas industry, including obligations to pay rental in advance and to pay damages to lands, crops, or structures arising out of the Government's operations is authorized: *Provided further*, That should valuable products other than helium-bearing gas be discovered in wells acquired or drilled for helium-bearing gas under this appropriation the Secretary of Commerce is authorized to provide for the disposal of said wells or the products therefrom, by the contracts under which the property is acquired, or otherwise, in accordance with the interests of the Government therein and in the manner which, in his opinion, is most advantageous to the Government;

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

I do not question but what the House will be interested in having a brief statement by the chairman of the subcommittee as to the status of helium production in the country at the present time. In view of the disasters that have occurred to lighter-than-air ships abroad that have not had the advantage of helium for their use, and in view of the fact that statements have been made rather authoritatively that there is a ban placed upon its exportation, I think a statement at the present moment, when we are dealing with this subject, would be pertinent.

Mr. SHREVE. Mr. Chairman, I am very pleased, indeed, to answer the gentleman, for the reason that the helium situation has very much improved in the last few years. This committee has appropriated money for several years for the purpose of a development plant at Amarillo, Tex. We have a wonderful plant there that will manufacture and produce twice as much helium as the Government of the United States will use, and we have only had to appropriate for this coming year the amount of \$70,000 to complete this plant.

In the meantime, other people in the United States, and especially in some of the Western States, have discovered helium-bearing gas. So to-day there may be developed in the United States helium of considerable proportions if they could find a market for it. We are informed that foreign countries are desirous of purchasing helium from us, and we have no objection to that; in fact, we want to furnish foreign countries with all the helium they may need or that might be used in a legitimate way and not used in

warfare, possibly against us. We are prepared to furnish the world with helium, in my opinion, and I think perhaps there are some gentlemen here from Texas who may know more about the situation than I do, but this is the conviction and the impression and the information I have about it. I will ask my good friend the gentleman from Texas, Mr. BRIGGS, if he can add anything to what I have said?

Mr. BRIGGS. The helium production in the United States, of course, is in the Panhandle section, and that is in the district of the gentleman from Texas [Mr. JONES]. It was for a long time in a part of the district of the gentleman from Texas [Mr. LANHAM].

It is my understanding that production is keeping up sufficiently well to provide the United States with all its helium needs, and there may be a small surplus. It is my further impression that not long ago it was charged that the United States was preventing other governments from obtaining the helium gas that America produces. It was officially stated, I think, by the administration that this was incorrect and that there was no foundation whatever for such a contention; that there was no restriction whatever upon its shipment for commercial or experimental purposes, after the United States first supplies its own needs; and this, I think, of course, is proper. We should do this because we are producing it for our own aircraft development primarily and for the safety of our lighter-than-air craft. What is left over, of course, may be made available to other countries under proper limitations.

Mr. STAFFORD. Mr. Chairman, at the last session there was a contest on the floor inaugurated by the gentleman from Kentucky [Mr. THATCHER], seeking to have helium produced for the Navy by some private establishment. It was represented then, at least by the report on that measure, that there was more than adequate helium in this country for the naval needs of the United States.

The question has become imminent by the unfortunate disaster to the *R-101* and other ships owned by foreign governments. I think it is generally accepted that there is much more helium manufactured in this country than our own naval and military organizations need, and I would like to have it specifically stated on the floor of the House that it is not our policy to withhold the shipment of the surplus helium because we do not seek to monopolize it for our own selfish needs when we have a surplus.

Mr. SHREVE. We are glad, indeed, to ship helium abroad, provided that it is not used in warfare against our interests.

Mr. BRIGGS. Of course the plant in Texas is a Government-owned plant. The Government would not operate the plant for the purpose of supplying governments abroad with helium. I have also understood that there are private interests engaged in producing helium in other parts of the country.

Mr. THATCHER. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, concerning the helium question, as I understand existing law, the Government of the United States would have no right to sell helium produced at its own plants to foreign countries. I think the chairman of the subcommittee will agree to that.

Private enterprise did embark some years ago in the helium business, and successfully. The product of the plant at Amarilla has for its only market the Army and the Navy. When private enterprise—the Helium Co., of Louisville, Ky.—undertook to secure the right of exporting helium the restrictions that were imposed by the Department of Commerce were so onerous that the company could not export it. I understand that these restrictions may have been somewhat softened, but at that time when the Helium Co. undertook to export its products the governmental officials required the company to indicate to whom they would sell abroad, for what purpose it would be sold, and the quantity, and all that sort of thing, with the result that the Helium Co. could not afford to send its agents abroad to solicit orders, not knowing whether those orders could be filled when they were returned. They could not afford to incur heavy expense in soliciting and procuring foreign orders for helium and

then, in all probability, be prevented from filling them by governmental action at home. A policy should have been announced for the Government. Then orders could have been procured within the limits of that policy, subject to proper departmental verification.

If private enterprise can not find some sort of a market, it means the closing down of its plants and the loss of its investment, and probably the waste of helium in other fields, because there will be no incentive to conserve or produce it.

At Dexter, Kans., helium has been discovered, and in southeastern Colorado great helium gas deposits have been discovered, richer than anywhere else. The Helium Co. has been successfully operating plants in both these States.

Certainly the disaster to the *R-101*, the Great Britain ship, illustrates the great value of helium, because it is non-inflammable. I hope the authorities of the Government having the matter in charge will so soften the restrictions surrounding the export of helium that private enterprise may function, as it ought to be allowed to function, so that it may supply helium to those abroad engaged in commercial aviation. Of course, no part of such helium could or would be used against our own country for purposes of war.

Mr. Speaker, the Helium Co. of Louisville is the only private concern in the world that has ever produced helium in marketable quantities. The plants of this company at Dexter, Kans., and in southeastern Colorado, are therefore the only plants in the world producing helium—besides the Government plant at Amarillo. This company secured leases on helium-bearing lands and built its helium plants because of the request, or suggestion, of our Navy Department that this be done. The Government plant at Fort Worth had failed some years ago in its attempt to produce helium for Army and Navy purposes. On that undertaking, the Government spent many millions of dollars. The loss was practically total. The Navy needed helium. The business men backing the helium company enterprise were, and are, men of capacity and financial ability, and the Navy officials agreed to purchase helium from them. Thereupon, they supplied the helium needs of the Navy in a very satisfactory manner, until crowded out of the picture through the operation of the Government-owned plant at Amarillo which came into being after the Helium Co. had built its plants, and had made its leases and contracts for helium-bearing lands in compliance with its agreement to supply the Navy. The Bureau of Mines, like the proverbial camel, first got its nose in the tent, and then its whole body has followed. The result has been that the Helium Co. is threatened with practically a total loss of its investment of something like \$750,000, for the reason that private enterprise in the United States—chiefly the Goodyear Zeppelin Co. at Akron, Ohio—can only use about 1,000,000 cubic feet of helium per year, and this quantity is wholly insufficient to justify the operation of any private enterprise.

If the Helium Co. were permitted to furnish as much as one-half of the helium required annually for Army and Navy purposes this market, together with the sale that might be made to commercial aviation projects, would enable the company to go ahead with production until the commercial field might expand. Under the helium act the Government can not sell helium for commercial purposes. It can only manufacture helium for governmental needs. In March, 1927, the Navy Department made a contract with the Helium Co. for a total quantity of 3,780,000 cubic feet, at a cost of 34.77 per thousand. This contract was carried out and a second one was made between the Navy and the Helium Co. for the fiscal year 1929 for 4,500,000 cubic feet. The Helium Co. met its obligations to the satisfaction of the Navy Department. These officials, according to their official statements, would have been glad to have continued procuring helium from private sources. This for the reason that, as stated by Admiral Moffett in his testimony before the subcommittee of the House Committee on Appropriations, Navy Department appropriation bill, 1930, page 501, "It is a good thing for the Government not to compete with the commercial companies if the commercial companies can supply it"—helium. Then the Navy officials were glad to

find an adequate helium supply available through private enterprise. Governmental enterprise had proved a total failure.

Under the helium act the question of comparative costs must be considered. Under that act the Government was authorized to produce helium "when helium can not be purchased from private parties at less cost." The friends of private enterprise insist that if investment, depreciation, operating, and other costs are figured on a comparable basis private enterprise can furnish helium to the Government cheaper than the Government can produce it. If this is not true, then it is the rare case where governmental enterprise can produce something at less cost than private enterprise can produce it.

Because Government accounting is different from that of private enterprise, the latter can not compete with Government. Thus the Army and Navy market for helium produced by private enterprise has been wholly taken over by the Government itself. As Calvin Coolidge has well said:

When the Government once enters a business, it must occupy the field alone. No one can compete with it. The result is a paralyzing monopoly.

Such is the result in the present instance. Backed by ample appropriations and given carte blanche to proceed, the Government is producing all the helium required for governmental needs and has practically destroyed the business of private helium enterprise.

I am not out of sympathy with the governmental purposes to conserve helium and to insure a ready and available supply of this invaluable gas for military needs. Its non-inflammability renders helium the all-desirable agency for dirigible use. Doubtless German and British aviation interests would be very glad to purchase in quantity American helium for their needs, if our Government should permit. There arises, however, the question as to how far the sale of American helium abroad should be permitted. Considerations of conservation and national security enter into the equation. This is another reason why our governmental action should deal considerably with private helium enterprise which came into life to meet governmental needs. The Government should either furnish it a market sufficient to enable it to exist until domestic commercial consumption may meet the situation or else remove arbitrary or impractical restrictions and permit such helium to be exported for commercial use.

I have believed it to be wise for the Government to acquire helium structures and to hold them in reserve. Recent surveys disclose the fact that the helium areas in this country are much more extended than was at first supposed. Helium in quantity is to be found in a number of our Western and Southwestern States. Thus far, I believe, the helium content in the Colorado area controlled by the Helium Co., is the richest which has yet been discovered; much richer, it is claimed, than that of the Cliffside structure owned by the Government at Amarillo. Possibly, it may be wise for the Government to own a helium plant and to operate it, but I do not believe that such operation should be exclusive in character, when private enterprise may furnish helium, just as it may furnish coal or oil, for governmental needs. Private production of helium prevents waste of helium gas on privately owned lands, and, at the same time, has the effect of preserving for ultimate use helium gas underlying areas owned by the Government. In brief: I would repeat that I believe that Government operation in helium production should not be exclusive or monopolistic. I believe that such a policy is opposed to national security as well as to national conservation. If, for instance, war should come upon our country overnight—as might be the case—and if a powerful enemy should send its dirigibles or planes into the Amarillo section, the helium plant there operated by the Bureau of Mines might be destroyed in a moment's time, and our helium supply likewise destroyed, unless private enterprise somewhere in our broad domain was functioning in the production of helium. For the present, private enterprise must supply a substantial portion of Army and Navy needs, or else secure an adequate foreign market. Otherwise, in the

production of helium it can not, at this stage of the game, exist.

Another fact. Private initiative and enterprise in this country is trying to build up commercial aviation, and thus match, or outstrip similar enterprise abroad. Think of the great value, from the standpoint of national security, of developing commercial aviation in the United States. Yet, our Government, under the law, can not sell helium for commercial purposes. Commercial enterprise must secure its helium from commercial sources. If these sources do not exist, then American commercial aviation must languish, fail, or be greatly retarded, while the world abroad goes ahead in the development of its commercial aviation.

Moreover, it has seemed to me that the present, with its great business depression, is the very worst of all times for the destruction of private industry to be made by governmental competition or monopoly. Prevailing conditions require that private enterprise be encouraged by the Government, and not menaced or destroyed. I believe that there might be formulated, on the part of the Government, a policy that would permit reasonable governmental operation on the one hand, and production of helium for governmental needs by private enterprise to a reasonable extent, on the other hand. Such a policy would be fair to all concerned, and the result would probably be that within a few years, the private production of helium would not require any governmental market, because of increased commercial needs which, by that time, in this country, would grow to a point where a satisfactory market for privately produced helium would be provided.

This is hardly the time or occasion for any elaborate discussion of the subject. The able and ever-vigilant gentleman from Wisconsin [Mr. STAFFORD] has just spoken of my interest in this subject, and I have therefore submitted these general observations. There are many arguments, pro and con, and many angles to be considered. I am sure that the Congress has desired to do what seemed best, though I do not believe it has had before it the whole picture. In my judgment, national conservation, national security, and considerations of fair play for both public and private enterprise should operate along the lines which I have ventured to suggest.

Mr. LANHAM. Mr. Chairman, the subject of helium is one to which for some years as a layman I have devoted considerable study. I rise for the purpose of getting information, if I may, with reference to one feature of our policy. It may be that that policy is not yet determined, but at least those on the committee can likely give some information as to what it will likely be when it is determined. The newspapers have carried many articles and presented different views with reference to the proposal to send helium from this country to other countries which operate in the lighter-than-air field and which have no helium available within their own boundaries.

For some reason, which must be providential, our country has practically a monopoly of all of the known sources of supply of helium. We are not a warlike Nation. We fight when necessary, but we prefer peace. The advantages of the use of helium in dirigibles in time of war have been stressed by many of the military and naval authorities of this country and foreign countries. I recall that one eminent British naval officer made the statement a few years ago that one helium-filled dirigible is as effective as a naval vessel as from three to five cruisers.

There has been quite a bit of sentiment with reference to lending or giving or selling this God-given asset of ours to foreign countries which operate lighter-than-air craft at great hazard, by reason of the fact that they have no helium. I think it is going a little beyond what the facts and investigations warrant to say that our supply of helium is inexhaustible. As a matter of fact, in the last few years we have wasted much helium in this country, not through the operation of our military and naval craft, but through promiscuous drilling in various oil and gas fields where the oil fever has stimulated activity, and helium-bearing gas has been lost in great volume—in volume so great that the

other nations of the world would covet it, in volumes so great that it would fill our demands for many years if we could recapture it, which, of course, is impossible.

I do not know that in my own mind I have reached a definite conclusion as to whether we should let the nations abroad have our helium. Certainly it should not be given or sold to them for any purposes of war. I think it will help us to preserve and maintain peace in the world if we safeguard it and conserve it.

Furthermore, I think there should be no disposition to send this priceless asset of ours abroad for use there unless we can have some assurance that American needs, not only military and naval but commercial as well, are going to be protected. I understand there are people in this country to-day looking to the future in the development of dirigibles commercially, who are anxious to have some assurance that they as Americans can have helium available for their purposes, and certainly it behooves us to look first to our own welfare before we begin to be too charitable abroad.

I have risen for information, as I say. I am keeping an open mind on this question. It brings sorrow to all of us to read of the catastrophes that occur abroad because of the lack of this most valuable element, and I thought perhaps the committee might be able to give us some information as to what our policy is going to be and the reasons for that policy, and likely give us some assurance that, if we send abroad part of our helium supply, provision will be made for those who wish to use it at home to have access to that supply.

Mr. SHREVE. Mr. Chairman, I quite agree with the remarks of the gentleman from Texas [Mr. LANHAM]. As far as the Government is concerned, we have no right or disposition to furnish any foreign country with helium. It must be through private sources, and naturally those sources must be guarded by certain rules and regulations which I presume up to the present moment should be promulgated by the Bureau of Mines. Later on, if we find it necessary, we might have some legislation on the subject. If we have a great surplus of helium, and it is needed in foreign countries, for legitimate purposes, and not to be used in any way against us or in warfare, and not to be used by those who are troublesome to our people, but used honestly and fairly, I can see no reason why we should not let foreign countries buy a limited amount of it.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. SHREVE. Yes.

Mr. LANHAM. The present law, as I recall, prohibits exportation of helium except with the consent of the President.

Mr. SHREVE. That is correct.

Mr. LANHAM. I am wondering whether any information is available as to whether there is any intention to export any of it in advance of legislation specifically authorizing it.

Mr. SHREVE. I am inclined to think that there will be no exportation of helium until there is some legislation on the subject. I am sure there will not be.

Mr. THATCHER. Under the present law exportation can be made under regulations which are to be promulgated by the departments involved?

Mr. SHREVE. Under the direction of the President.

Mr. THATCHER. Under his general direction, but the Department of Commerce is perhaps the department that would be most interested in its exportation.

Mr. SHREVE. I am speaking of its becoming exported in large quantities. There should be some legislation about that, just as there is with our tariff.

Mr. THATCHER. At present only about a million or so cubic feet are required for private enterprise in this country. Take the Helium Co. of Louisville, for instance. It went into business some years ago. It can make with its present plants each year ten or twelve million cubic feet of helium, possibly more, and they can only sell about a million cubic feet of it per year to private enterprise in this country. They have about \$750,000 invested in their plants and leases, and if they can not function, of course the company becomes bankrupt.

Now, unless the Government takes their helium or unless private enterprise in this country takes it, there should be permission given to them to export it under proper regulations.

Mr. SHREVE. Under proper regulation; yes.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Salaries: Secretary of Labor, \$15,000; Assistant Secretary, Second Assistant Secretary, and other personal services in the District of Columbia, \$201,060; in all, \$216,060.

Mr. GLOVER. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the committee, in my opinion the Department of Labor is one of the most valuable departments of our Government.

Recently the Secretary of Labor resigned, and it became necessary for the President to make another appointment. I congratulate the President of the United States on the splendid judgment he exercised in the selection of the present Secretary, "Bill" Doak, as we know him in Arkansas.

When I think of the good work which this man has accomplished for labor in the past, and, knowing that he is called to this great field where he can be more valuable than he has been, it is my prophecy to-day that when he closes his administration as Secretary of the Department of Labor he will go down in history as one of the greatest men who ever filled this position. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Salaries and expenses: For personal services, including temporary statistical clerks, stenographers and typewriters in the District of Columbia, and including also experts and temporary assistants for field service outside of the District of Columbia; traveling expenses, including expenses of attendance at meetings concerned with the work of the Bureau of Labor Statistics when incurred on the written authority of the Secretary of Labor; purchase of periodicals, documents, envelopes, price quotations, and reports and materials for reports and bulletins of said bureau, \$440,480, of which amount not to exceed \$361,240 may be expended for the salary of the commissioner and other personal services in the District of Columbia.

Mr. MEAD. Mr. Chairman, I move to strike out the last word.

I hesitate to interrupt the progress which we are making with this bill, but I can find no appropriation for the measure we passed on July 7, 1930, referred to as the Wagner law. Its purpose was to collect statistics on unemployment to be furnished to Congress and the country. This bill does not carry an appropriation to carry out the purposes of that act from now until the beginning of the next fiscal year.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. MEAD. Yes; I yield.

Mr. OLIVER of Alabama. The Senate yesterday inserted in the deficiency appropriation bill an appropriation for that purpose, which would care for the interim to which the gentleman refers.

Mr. MEAD. I also have that information, but, of course, there is the hazard that this item will be stricken out or greatly reduced by the conferees. If, however, that appropriation is approved by the conferees and the money made available, I have no objection. However, it occurs to me that if it is reasonable for Members to rise in their seats and object to appropriations which have no law to sustain them, the Committee on Appropriations should be very careful to approve of appropriations that have the weight of law behind them.

Everybody realizes the seriousness of the present unemployment situation, and if we had taken up this problem a year ago and passed the three Wagner bills we would be better for it to-day.

The bill that became law on July 7 last is a very necessary one, because you may be sure if we do not receive accurate information on the subject of unemployment we are going to receive inaccurate information. Every conference appointed by the President since 1920 to study the problem of unemployment very caustically criticized the Government

because of the guesswork information supplied on this all-important question.

I understand a bill has recently passed the Senate creating a Federal planning commission, the object of which is to time public construction so as to take up the slack at the beginning of an impending recession in private employment. That commission will be embarrassed in its work unless this bureau is permitted to organize, function, and furnish the commission with the information which they will require.

So far our attitude in connection with the unemployment problem has been dilatory, and as a result we are now swamped with a number of bills for the relief of the unemployed. This would not be the case had we treated the matter wisely in the last session of Congress. If the suggestion made by the gentleman from Alabama [Mr. OLIVER] that the item of \$40,000 has been inserted in the deficiency bill by the Senate is correct, and I believe it is, then there is no use of offering an amendment at this time.

I only hope our conferees will agree to the Senate amendment. [Applause.]

The pro forma amendment was withdrawn.

The Clerk concluded the reading of the bill.

Mr. SHREVE. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. RAMSEYER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 16110, making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1932, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. SHREVE. Mr. Speaker, I move the previous question on the bill and the amendment thereto to final passage.

The previous question was ordered.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. BYRNS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. The gentleman from Tennessee [Mr. BYRNS] offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. BYRNS moves to recommit the bill H. R. 16110 to the Committee on Appropriations, with instructions to report the same back, forthwith, with an amendment striking out the paragraph on page 14, beginning on line 12 and ending on line 15.

Mr. SHREVE. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Tennessee to recommit the bill with instructions.

The question was taken; and on a division (demanded by Mr. BYRNS) there were—ayes 10, noes 108.

Mr. BYRNS. Mr. Speaker, I object to the vote on the ground that there is not a quorum present and make the point of order that there is not a quorum present.

The SPEAKER. Evidently there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 109, nays 177, answered "present" 1, not voting 144, as follows:

[Roll No. 17]
YEAS—109

Abernethy	Arnold	Bland	Boylan
Allgood	Ayres	Bianton	Brand, Ga.
Almon	Bell	Box	Briggs

Browning	Fuller	Kemp
Buchanan	Fulmer	Kerr
Byrns	Gambrill	Kvale
Canfield	Garber, Okla.	Lanham
Cannon	Garner	Lankford, Ga.
Cartwright	Gasque	Larsen
Christopherson	Glover	Lozier
Clark, N. C.	Goldsborough	Ludlow
Collier	Green	McDuffie
Condon	Greenwood	McReynolds
Cooper, Tenn.	Gregory	McSwain
Cox	Hall, Miss.	Mead
Crisp	Hare	Milligan
Cross	Hill, Ala.	Montet
Davis	Hill, Wash.	Moore, Ky.
DeRouen	Howard	Morehead
Dominick	Huddleston	Nelson, Mo.
Dorsey	Hull, Tenn.	Norton
Doughton	Hull, Wis.	O'Connor, La.
Douglas, Ariz.	James, N. C.	Oliver, Ala.
Doxey	Jeffers	Parks
Driver	Johnson, Okla.	Patman
Edwards	Johnson, Tex.	Patterson
Eslick	Jones, Tex.	Peavey
Fisher	Kading	Quin

NAYS—177

Ackerman	Dyer	Kinzer	Seger
Adkins	Eaton, Colo.	Knutson	Seiberling
Aldrich	Elliott	Kopp	Selvig
Allen	Englebright	Korell	Shaffer, Va.
Andrew	Erk	Kurtz	Short, Mo.
Arentz	Evans, Calif.	LaGuardia	Shott, W. Va.
Bachmann	Finley	Lambertson	Shreve
Barbour	Fish	Lankford, Va.	Simmons
Beedy	Fitzgerald	Leavitt	Simms
Beers	Foss	Leech	Sloan
Blackburn	Free	Lehlbach	Smith, Idaho
Bohn	French	Letts	Snell
Bolton	Gibson	Linthicum	Snow
Bowman	Gifford	Loofbournow	Sproul, Ill.
Brand, Ohio	Goodwin	Luce	Stafford
Brumm	Hadley	McClintock, Ohio	Stalker
Burdick	Hale	McCormack, Mass.	Strong, Pa.
Butler	Hall, Ill.	McFadden	Summers, Wash.
Cable	Hall, Ind.	McLaughlin	Swanson
Campbell, Iowa	Halsey	Magrady	Swick
Campbell, Pa.	Hancock, N. Y.	Manlove	Swing
Carter, Wyo.	Hardy	Mapes	Taber
Chalmers	Hartley	Martin	Temple
Chindblom	Hastings	Menges	Thatcher
Clague	Hawley	Merritt	Tilson
Clancy	Hickey	Michener	Timberlake
Clark, Md.	Hoch	Miller	Tinkham
Cochran, Mo.	Hogg, W. Va.	Mooney	Turpin
Cochran, Pa.	Holaday	Murphy	Vincent, Mich.
Cole	Hooper	Nelson, Me.	Wainwright
Colton	Hope	Nolan	Walker
Connery	Hopkins	O'Connor, Okla.	Wason
Cooke	Houston, Del.	Parker	Watres
Coyle	Hull, Morton D.	Perkins	Welch, Calif.
Cramton	Hull, William E.	Pittenger	Welsh, Pa.
Crosser	Irwin	Pritchard	Whitley
Crowther	Jenkins	Purnell	Wigglesworth
Culkin	Johnson, Ill.	Ramey, Frank M.	Williamson
Dallinger	Johnson, Nebr.	Ramseyer	Wolverton, N. J.
Darrow	Jonas, N. C.	Reece	Woodruff
Davenport	Kahn	Reed, N. Y.	Wurzbach
Denison	Kelly	Robinson	Wyant
De Priest	Kendall, Ky.	Rogers	
Dowell	Ketcham	Sears	
Dunbar	Kiefner		

ANSWERED "PRESENT"—1

Griffin

NOT VOTING—144

Andresen	Crall	Haugen	Morgan
Aswell	Cullen	Hess	Mouser
Auf der Heide	Dempsey	Hoffman	Nelson, Wis.
Bacharach	Dickinson	Hogg, Ind.	Newhall
Bacon	Dickstein	Hudson	Niedringhaus
Baird	Douglass, Mass.	Hudspeth	O'Connor, N. Y.
Bankhead	Doutrich	Igoe	Oldfield
Beck	Doyle	James, Mich.	Oliver, N. Y.
Black	Drane	Johnson, Ind.	Owen
Bloom	Drewry	Johnson, S. Dak.	Palmer
Brigham	Eaton, N. J.	Johnson, Wash.	Palmisano
Britten	Ellis	Johnston, Mo.	Parsons
Browne	Estep	Kearns	Pou
Brunner	Esterly	Kendall, Pa.	Prall
Buckbee	Evans, Mont.	Kennedy	Pratt, Harcourt J.
Burtness	Fenn	Kunz	Pratt, Ruth
Busby	Fitzpatrick	Langley	Ransley
Carley	Fort	Lea	Reid, Ill.
Carter, Calif.	Frear	Lindsay	Rich
Celler	Freeman	McClintic, Okla.	Rowbottom
Chase	Garber, Va.	McCormick, Ill.	Sabath
Chipherfield	Garrett	McKeown	Sanders, N. Y.
Christgau	Gavagan	McLeod	Schneider
Clarke, N. Y.	Golder	McMillan	Sirovich
Collins	Goss	Maas	Somers, N. Y.
Connolly	Graham	Mansfield	Spearing
Cooper, Ohio	Granfield	Michaelson	Sproul, Kans.
Cooper, Wis.	Guyer	Montague	Steagall
Corning	Hall, N. Dak.	Moore, Ohio	Stevenson
Craddock	Hancock, N. C.	Moore, Va.	Stobbs

Stone	Taylor, Tenn.	Underwood	Wilson
Strong, Kans.	Thompson	Vestal	Wolfenden
Sullivan, N. Y.	Thurston	Vinson, Ga.	Wolverton, W. Va.
Sullivan, Pa.	Treadway	Watson	Wood
Tarver	Tucker	White	Yates
Taylor, Colo.	Underhill	Williams	Zihlman

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Pou (for) with Mr. Goss (against).
 Mr. Spearing (for) with Mr. Ransley (against).
 Mr. Wilson (for) with Mrs. Ruth Pratt (against).
 Mr. McMillan (for) with Mr. Sullivan of Pennsylvania (against).
 Mr. Garrett (for) with Mr. Chipfield (against).
 Mr. McKeown (for) with Mr. Wood (against).
 Mrs. Oldfield (for) with Mr. Brigham (against).
 Mr. Tarver (for) with Mr. Niedringhaus (against).
 Mr. Bankhead (for) with Mr. Wolfenden (against).
 Mr. Mansfield (for) with Mr. H. J. Pratt (against).
 Mr. Drewry (for) with Mr. Clarke of New York (against).
 Mr. Williams (for) with Mr. Bacharach (against).
 Mr. Drane (for) with Mr. Vestal (against).
 Mr. Aswell (for) with Mr. Buckbee (against).
 Mr. Busby (for) with Mr. Bacon (against).
 Mr. Evans of Montana (for) with Mr. Hess (against).
 Mr. Hancock of North Carolina (for) with Mr. Watson (against).
 Mr. Hudspeth (for) with Mr. Graham (against).
 Mr. McClintic of Oklahoma (for) with Mr. Rich (against).
 Mrs. Owen (for) with Mr. Kendall of Pennsylvania (against).
 Mr. Steagall (for) with Mr. Doutrich (against).
 Mr. Stevenson (for) with Mr. Johnson of South Dakota (against).
 Mr. Underwood (for) with Mr. Treadway (against).
 Mr. Vinson of Georgia (for) with Mr. Beck (against).

Until further notice:

Mr. Johnson of Washington with Mr. Cullen.
 Mr. Cooper of Ohio with Mr. Douglass of Massachusetts.
 Mr. Frear with Mr. Montague.
 Mr. Britten with Mr. Black.
 Mr. Andresen with Mr. Palmisano.
 Mr. Carter of California with Mr. Lindsay.
 Mr. Golder with Mr. Granfield.
 Mr. Chase with Mr. O'Connor of New York.
 Mr. Crall with Mr. Sabath.
 Mr. Eaton of New Jersey with Mr. Corning.
 Mr. Fenn with Mr. Taylor of Colorado.
 Mr. Mouser with Mr. Griffin.
 Mr. James of Michigan with Mr. Igoe.
 Mr. Hogg of Indiana with Mr. Carley.
 Mr. Moore of Ohio with Mr. Moore of Virginia.
 Mr. Reid of Illinois with Mr. Brunner.
 Mr. McLeod with Mr. Parsons.
 Mr. Yates with Mr. Oliver of New York.
 Mr. Taylor of Tennessee with Mr. Tucker.
 Mr. Morgan with Mr. Fitzpatrick.
 Mr. Guyer with Mr. Lea.
 Mr. Browne with Mr. Prall.
 Mr. Cooper of Wisconsin with Mr. Kunz.
 Mr. Esterly with Mr. Somers of New York.
 Mr. Nelson of Wisconsin with Mr. Doyle.
 Mr. Maas with Mr. Sullivan of New York.
 Mr. Johnston of Missouri with Mr. Celler.
 Mr. Schneider with Mr. Kennedy.
 Mr. Palmer with Mr. Dickstein.
 Mr. Sanders of New York with Mr. Bloom.
 Mr. Underhill with Mr. Sirovich.
 Mr. Hall of North Dakota with Mr. Auf der Heide.
 Mr. Haugen with Mr. Gavagan.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

On motion of Mr. SHREVE, a motion to reconsider the vote by which the bill was passed was laid on the table.

EXTENSION OF REMARKS

Mr. McSWAIN. Mr. Speaker, at the request of my colleague, Mr. McMILLAN, who is confined to his home by illness, I ask unanimous consent that he be permitted to extend his remarks in the RECORD. I also ask unanimous consent to be permitted to extend my own remarks by including a concurrent resolution of the General Assembly of South Carolina relating to the payment of the adjusted compensation, and also to extend my remarks relating to Article V of the Federal Constitution.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

MEETING OF THE DAUGHTERS OF THE CONFEDERACY JANUARY 28, 1931, IN CAUCUS ROOM OF HOUSE OFFICE BUILDING

Mr. McMILLAN. Mr. Speaker, I am requested by Miss Anita Schade, president of the Asha Faison Colwell Williams Chapter, United Daughters of the Confederacy, to extend to the Members of both Houses of Congress, an invitation to be present at a meeting to be held in the caucus room of the House Office Building, on January 28, 1931, at 8 o'clock p. m. The special purpose of this meeting is to honor the memory of those two distinguished American soldiers who participated on opposite sides in the struggles incident to the War between the States, from 1861 to 1865.

These two distinguished soldiers are the late Senator Francis E. Warren, of Wyoming, and the late Representative Charles M. Stedman, of North Carolina. These two distinguished servants were present when this chapter was organized on January 29, 1929, and since then both of them have passed over the river and now rest under the shade of the everlasting trees. Their memories will ever be fresh in the minds and hearts of all men and women who admire chivalric courage and honor devoted public service.

It is therefore fitting that this meeting in honor of their memories should be held in a public building, and it is the sincere wish and desire of the members of the chapter that a large number of Senators and Representatives will attend.

By the permission of the House I am printing herewith the letter of invitation from the president of the chapter.

WASHINGTON, D. C., January 21, 1931.

HON. THOMAS S. McMILLAN,

House of Representatives, Washington, D. C.

MY DEAR MR. McMILLAN: The members of the Asha Faison Colwell Williams Chapter, United Daughters of the Confederacy, Washington, D. C., has the honor to extend to the Members of the House of Representatives, through you, a cordial invitation to be present at a meeting to honor the memory of the late Senator Francis E. Warren, of Wyoming, and the late Congressman Charles M. Stedman, of North Carolina, in the caucus room of the House Office Building, on the evening of January 28, 1931, at 8 o'clock.

These were the last soldiers of the War between the States (1861-1865) to serve in the United States Congress.

These two distinguished soldiers were present and assisted in the organization of the Asha Faison Colwell Williams Chapter in the Old Brick Capitol on January 29, 1929, and were honorary associate members of the chapter.

Mrs. L. M. Bashinsky, of Troy, Ala., president general of the United Daughters of the Confederacy, will be in Washington for this meeting.

We will be deeply grateful if you will offer this invitation on the floor of the House of Representatives.

Respectfully,

ANITA SCHADE, Chapter President.

Mrs. CHARLES FISHER TAYLOR,
Chairman.

Miss SALLIE U. BROOKS,
Mrs. JOHN D. MILLIGAN,
Mrs. S. McDOWELL MEEK,
Mrs. LIVINGSTON VANN, Jr.,
Memorial Committee.

PAY ADJUSTED-COMPENSATION CERTIFICATES, DISCHARGE DEBT, AND RELIEVE DISTRESS WITH SAME DOLLAR

Mr. McSWAIN. Mr. Speaker, the General Assembly of South Carolina, now in session, on January 14, 1931, adopted a concurrent resolution relating to the payment of adjusted-compensation certificates, and by leave of the House, I am printing same:

A CONCURRENT RESOLUTION

S. 8, Mr. BRUSON (H. 7): A concurrent resolution:

Whereas there are now pending before the National House of Representatives certain bills looking to the payment of the adjusted-compensation certificates of the veterans of the World War; and

Whereas should such payment be made, South Carolina would receive, according to the estimates, the sum of \$47,084,190.50; and

Whereas under the prevailing economic and financial conditions existing in this country, such payment would place in circulation a sufficient amount of moneys to rehabilitate and change such conditions into a period of prosperity; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Senators and Members of Congress from South Carolina in the national House of Representatives are hereby urged to use their efforts to the end that the bill, or bills, for the payment of the adjusted-compensation certificates that would work to the greatest advantage of the veterans of the World War

and the country at large, be pressed and their passage brought about at the earliest moment possible.

That a certified copy of this resolution be furnished to each Member of the South Carolina delegation in the National Congress. Returned with concurrence. Received as information.

GREENVILLE, S. C., January 22, 1931.

Hon. J. J. McSWAIN,
Member of Congress, Washington, D. C.:

Greenville Post, No. 3, American Legion, 500 members, at recent meeting unanimously indorsed resolution and memorialized all Representatives in Congress and Senators from South Carolina to actively support legislation designed to retire in cash at face value all adjusted-compensation certificates.

J. L. LOVE, Chairman Legal Committee.

AMENDING THE FEDERAL CONSTITUTION—THE ESSENCE OF AMERICANISM

Mr. McSWAIN. Mr. Speaker, I desire to say a few words concerning Article V of the Constitution of the United States. The Constitution has been praised by Americans for nearly five generations as the bulwark of our civil liberties. Many of the greatest men of other nations have pronounced it to be the most wonderful human document concerning human government. When the old monarchies began to crumble in the latter part of the eighteenth century and continued their breaking up through the nineteenth century and most of them finally collapsed during the year 1918, as a result of the World War, the minds of men have turned to the Constitution of the United States and have accepted it as a model and standard according to which governments may be organized in any land, in any language, for any people, making changes and modifications to suit local needs and racial characteristics.

ARTICLE V IS THE GUARANTY OF POPULAR SOVEREIGNTY

But, Mr. Speaker, I deem Article V the most fundamental and characteristic feature in the great Constitution. It is the article which breathes the very spirit of the Declaration of Independence. It is the article that provides for the changing, developing, evolving needs of a growing nation. If there had been no provision for amending the Federal Constitution—if it had been a legal strait-jacket to hold and restrain the people of this mighty Republic—it certainly would have been discarded long ago. The Revolutionary fathers solemnly believed that governments are made for men, and not men for governments, and that each generation has the right to decide for itself what form of government it will employ, and no generation has any right to make and mold a cast-iron form of government to be imposed upon either the next succeeding generation or subsequent generations. Consequently, in the great Declaration of Independence it was declared that "whenever any government becomes destructive of these aims ('life, liberty, and the pursuit of happiness') it is the right of the people to alter or to abolish it, and to institute in its stead a new government, laying its foundations on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness." That is why I pronounce Article V to be the very heart and core and center of our American constitutional system.

THE SUPREME COURT REVIEWS THE DECISION BY JUDGE CLARK

Therefore, Mr. Speaker, having learned that the correct interpretation of Article V has been drawn in question by the decision of Federal Judge William Clark, of New Jersey, and that a review of his decision would be heard in the Supreme Court of the United States on day before yesterday (January 21), I was present in the Supreme Court for the purpose of hearing just what arguments, if any, could be advanced in support of the decision of Judge Clark, who had declared the eighteenth amendment to be null and void, because he held it had not been constitutionally ratified according to the provisions of Article V of the Federal Constitution.

Now, the substance of Article V is that whenever two-thirds of both Houses of Congress shall deem it necessary, the Congress shall propose amendments to the Constitution. Furthermore, whenever the legislatures of two-thirds of the States in the Union make application to that effect, the Congress shall call a constitutional convention for the pur-

pose of proposing amendments. Amendments having been proposed according to either of these two methods, they shall become valid to all intents and purposes as parts of the Constitution, only when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as one or the other mode of ratification may be provided by Congress. Now, if either of these constitutional methods shall be followed, it is possible for any amendment to be made to the Federal Constitution, upon any subject, and of any nature, except that no State may be deprived of its equal suffrage in the Senate without its own consent.

All the other field of governmental activities is left wide open. Even Article V itself may be amended. In fact, a most serious and earnest effort has been made in the last few years by what was called the Garrett-Wadsworth amendment, seeking to provide that no amendment to the Federal Constitution may be ratified by any State legislature, or by any convention in any State, unless the members of such convention, or of such legislature, shall have been elected after the proposed amendment shall have been submitted to the several States by the Congress.

WHY MISUNDERSTAND PLAIN AND SIMPLE LANGUAGE?

Mr. Speaker, this language in Article V seems to be simple. All of the words are easily understood and I can discern no confusion of thought resulting from the arrangement of the words. The article is clear both as to the actual language and as to the arrangement of the language. Therefore, I was surprised to learn that learned and eloquent counsel argued in support of the decision of Judge Clark that there are certain implied words which must be read into the language of Article V when taken in connection with Article X of the amendments. Upon this implication, it was argued that the Congress should have submitted the eighteenth amendment, or, for that matter, any other amendment conferring additional and new powers upon the Federal Government, to conventions to be called in the several States for the specific purpose of considering the question of ratifying such amendments and that in having done so, by having submitted the same to the legislatures of the several States, it is now competent for the judicial power to declare such amendments null and void, of no legal effect, and not binding upon any court or any citizen.

WHO SHALL CLASSIFY PROPOSED AMENDMENTS TO THE CONSTITUTION?

Mr. Speaker, it is admitted in the argument of counsel seeking to sustain the decision of Judge Clark that certain classes of amendments, seeking to limit Federal power, or to define Federal power, or to modify existing Federal power, may properly be submitted to the legislatures of the States for ratification. But it is contended that all other amendments, all amendments seeking to confer upon the Federal Government any of the powers which were reserved to the States or to the people when the Constitution was originally adopted in 1789, must be submitted by the Congress to conventions called specifically for that purpose in the several States.

CAN COURTS CONTROL THE EXERCISE OF DISCRETIONARY POWER BY CONGRESS?

So, Mr. Speaker, here is the crux of the case. It is contended by the supporters of Judge Clark's decision that when an amendment is proposed by two-thirds of both Houses of Congress seeking to confer additional powers upon the Federal Government, being carved out of the originally reserved powers of the States or the people, then the Congress must submit such proposed amendment to conventions in the States, as above outlined.

Now, Article V gives the power to Congress to propose amendments. It is one of the highest, the most far-reaching, the most fundamental powers exercised by Congress. Yet it is contended here that the action of Congress in choosing to submit proposed amendments to the legislatures of the several States, rather than to conventions in the several States, is subject to judicial review, and that if the Congress makes what the judicial power shall deem to be a mistake in choosing one method rather than the other method, then it is the duty of the court, whether a State

court or a Federal court, whether a district court or a supreme Federal court, to declare the amendment thus erroneously submitted by Congress to be utterly null and void.

WHERE WOULD JUDGE CLARK'S DECISION LEAD US?

Mr. Speaker, let us analyze what results would follow from choosing this doctrine. Assume an amendment is proposed by the House of Representatives and receives a necessary two-thirds vote, and that the House in connection with its resolution proposing such amendment shall declare by its vote that the amendment is an effort to confer additional powers in the States or the people, and for such reason should be submitted to conventions in the several States. Suppose this resolution goes to the Senate and the Senate decides to submit the proposal of an amendment with an amendment by striking out the manner of submitting same and inserting in lieu thereof the proposal that the same shall be submitted to the legislatures of the several States.

Assume that this difference between the two Houses went to conference and assume that the conferees finally agreed to the Senate amendment and the House conferees should report recommending that the House recede and concur in the Senate amendment. Suppose the report of the conferees was adopted by both Houses and the proposal then went to the legislatures and was ratified by the legislatures of three-fourths of the States. Suppose that the Secretary of State then proclaimed that the amendment had been duly ratified and had become part of the Constitution, and suppose a question of law subsequently arose drawing into question the validity of such amendment. What would be involved by such judicial review? It would necessitate that the courts should hold that there is a sharp and clearly defined distinction, either expressed or implied by the Constitution, between the two classes of amendments mentioned, and that the failure of the Congress to select the convention method of ratification was such a breach of its duty and power as to render the entire proceeding null and void.

It seems by the language of the amendment that Congress has the discretionary power to select one method or the other. And yet it is proposed by the supporters of the view of Judge Clark that Congress has no such discretionary power, but that it must act in a fixed way in each case, according as to whether or not the proposed amendment falls within one class or within another class. Judge Clark proposes to give to the courts, whether State courts or Federal courts of all degree, the right to decide that what Congress declared to be a valid proposal as an amendment and what the legislatures in three-fourths of the States declared should constitute an amendment and what the Secretary of State declared to be a duly ratified amendment should and would be nothing in fact but a worthless scrap of paper.

The contention of the adherents of Judge Clark admits of no border-line cases. We can conceive of certain amendments, such as the sixteenth amendment, which might be viewed as modifying and amplifying existing power, or as adding new and additional power. Suppose the Congress concluded that the sixteenth amendment did not confer additional power, as was argued by one of the learned counsel seeking to sustain the judgment of Judge Clark. Suppose, on the other hand, some judge, either State or Federal, or some court, should hold that the sixteenth amendment is out and out new power and taken from the reserved powers referred to in Article X of the amendments. Those holding that Judge Clark was right in his decision must hold that even if the Congress makes an honest mistake in classifying a proposed amendment, such honest mistake is subject to review by any court. I say, "any court" (whether State or Federal), because all State judges are bound by their oaths to support and defend the Constitution of the United States, and have it in their power, when the Constitution is drawn into question, to pass upon the validity of the Constitution itself. We would, therefore, have a case of where a magistrate in any State might at any time be called upon to pass upon the validity of an amendment to the Constitution of the United States, and such magistrate, holding a commission from the governor of the State, might differ in his

judgment from the judgment of Congress, and might conclude that Congress had made an egregious mistake in its classification of amendments and, therefore, might hold that the method adopted by Congress was the wrong method and, therefore, the amendment, which all the world had thought to be a proper amendment, was nothing but a scrap of paper, a vain and void waste of words and printer's ink.

CONVENTIONS AS WELL AS LEGISLATURES MAY UNWISELY RATIFY HARMFUL AMENDMENTS

Mr. Speaker, if the considerations already mentioned do not amount to a *reductio ad absurdum* of the contention of Judge Clark, then I offer some additional considerations. It was argued at the hearing yesterday that the selection by Congress of the method of submitting proposed amendments to the State legislatures, consisting in the aggregate of less than 1,500 members, might result in adopting amendments which would deprive the people of all of their remaining rights and liberties. It was thus argued that the people are not supreme if two-thirds of both Houses of Congress and three-fourths of all the State legislatures could confer upon the Federal Government the entire residuum of reserved powers. But, Mr. Speaker, this argument leads nowhere. Such results may follow any governmental activity. The possibilities of abuse under a popular form of government are no arguments against the existence of a power. It could be argued, honestly and sincerely, that if Congress submitted an amendment to conventions in the several States, and if such proposed amendment were so far-reaching and sweeping as to amount to a complete wiping out of all State powers, yet if three-fourths of all the conventions in the States ratified the proposed amendment the amendment would have been lawfully adopted. It is not any constitutional argument, though it may be an argument of expediency and policy, to say that it is less likely that conventions would approve of such radical amendments than the State legislatures might approve. Either method of amendment might lead to extreme and horrible abuses. Our study of constitutional law has taught us that there are many wrongs coming solely within the class of political remedies.

There is no absolute guaranty that existing constitutional machinery will not be abused at some time. But so long as Article V of the Constitution stands, the people are supreme, and can by their ballots undo and repeal whatever may have been done. Sovereignty still resides in the people. If one generation makes what a subsequent generation considers an egregious mistake, Article V is the safety valve for its correction. Destroy Article V of the Constitution, and you destroy the Constitution itself. It was said that Congress and the State legislatures might take away from the people all their reserve rights and powers, and then say arrogantly and defiantly: "Let the people whistle." But we must remember that the people can whistle a long time and that he who whistles last whistles best. If the Congress and the legislatures take away all the reserved rights of the people, the people by the same token may recall those rights. The people in the several States may agitate and agitate until they elect legislatures in two-thirds of the States which will apply to the Congress for the calling of a great national constitutional convention. When this is called the people can send delegates from the States who will have been elected upon the issue of returning to the States, or to the people, the rights and powers theretofore taken away. The power of amendment involves the power to take from as well as to add to. The power of amendment is one of subtraction as well as addition. The power of amendment is the power to recast, to reform, to make over, to renovate, and to change in every possible particular except the one item of equal suffrage in the Senate.

THERE EXISTS A POLITICAL REMEDY FOR EVERY POLITICAL WRONG

So, Mr. Speaker, the arguments that have been advanced in support of the decision of Judge Clark do in reality and in very truth rest upon a gross misconception of our constitutional system. They do assume that popular sovereignty is not still a reality. They do assume that what the people do they can not undo. The argument in support of the

decision of Judge Clark overlooked the fact that if amendments are adopted, they also may be constitutionally repealed. There is no need for any person or set of persons or any section in America to resort to force or violence against what may be called tyranny, or the exercise of unwarranted governmental power.

There is a political remedy for every political and legal ill in America. If any amendment now a part of the Constitution does not meet with the approval of the required constitutional majority of the people, that amendment may be constitutionally repealed. It is the right and privilege of every American to agitate at his will for the repeal of any part of the Constitution, even if that part be in the original draft submitted by the fathers and ratified by the States and put into operation in 1789, when George Washington was inaugurated President of the United States.

The argument of those who support the decision of Judge Clark is that if the Congress and the State legislatures, exercising the power contained in Article V, should take away the rights of the people, then those rights can not be constitutionally regained; and that revolution must follow, and that force and violence, involving death and destruction, would be the price that must be paid for the resumption of political and personal liberty. Such argument is not justified by the Constitution nor by our system of government nor the principles of popular sovereignty; and such argument must, therefore, rest upon a misconception of the American system.

Furthermore, Mr. Speaker, the argument in support of the decision of Judge Clark rests upon the assumption that all the good and great lawyers of America, that all the great judges of America, that all the great Chief Justices of America, even the incomparably great John Marshall himself, did not understand the Constitution of the United States, had not grasped its mighty implications, did not understand the methods of its amendment, did not understand even the language of the Constitution itself, and that a mighty gleam of intellectual light has suddenly burst forth from New Jersey to light up this domain of darkness through which all our legal and judicial talent for 150 years have been groping.

The argument in support of that decision of Judge Clark rests upon the assumption that the exercise of a discretionary power by Congress in selecting one method or the other of submitting proposed amendments for ratification is subject to judicial control. It means that any judge can hold that Congress has made an unwarranted mistake. It means that when a bare majority in both Houses votes to submit a proposed amendment to the legislatures of the States, rather than to conventions in the States, then the courts can subsequently hold that the minority was right and that the majority was wrong, and that the vote of the Congress in both Houses should have been unanimously in favor of submitting the proposed amendment to conventions in the States.

In other words, the argument reduces what we have thought to be a discretionary power, a legislative power in Congress, a power to do or not to do, a power to pick and choose, into a mere administrative act. In other words, the argument runs to the effect that Congress has no choice as to the mode of ratification. It means that the clerk of either House of Congress, or that a messenger boy in either House, or that a page in either House, can just as well pick the mode and method of ratification as can a majority of both Houses. But surely courts can review only that which is clearly and unequivocally and necessarily fixed and prescribed by law.

Courts can not control discretion in legislative bodies. Courts can not tell legislatures how they must legislate. Hence, the argument in support of the decision of Judge Clark reduces Congress in this respect to a mere administrative automaton, to a powerless clerk who must act in a definite and prescribed way.

Now, where would such arguments lead us? What would become of the principle of three equal and coordinate branches of government? Who then would be masters of the people? Would we not be puppets of Federal judges

holding lifetime jobs? Whom can the people best trust: The State legislatures and their Members of Congress, elected by the people themselves every two years, or Federal judges appointed by the President for their whole lives?

JUDGES SHOULD OBEY THEIR OATHS TO SUPPORT AND DEFEND THE CONSTITUTION

Mr. Speaker, it has long been a self-evident maxim of constitutional law, since the establishment of our Government, that every presumption in favor of the validity of an act of Congress should be indulged by the courts. Therefore, in the event of doubt as to the proper classification for a proposed amendment to the Constitution, doubt should be resolved in favor of the decision by Congress. And, yet, in the decision by Judge Clark, every presumption that imagination could assemble was indulged in against the validity of the amendment, and against the rightfulness and correctness of the decision of Congress in exercising its discretionary power to submit the proposed amendment to the Constitution to the legislatures of the several States. Therefore, it was natural that the decision of Judge Clark should shock the attention of every disinterested and impartial lawyer in the land.

A false and unfounded proposition of constitutional law shocks the minds of trained lawyers just as do false notes shock the ears of trained musicians. Obedience to the supreme law of the land is the primary duty of every citizen and especially of every judge; and yet, here was one judge who trifled with those simple and fundamental principles of constitutional law which constitute the guideposts of the American system of government. Just as an ordinary citizen dare not defy nor trifle with the statute law of the land, so judges, if they respect their oaths, and obey their consciences, must obey and uphold the Constitution, which is the supreme law of the land.

OUR CONSTITUTIONAL SYSTEM, STATE AND FEDERAL, IS THE BULWARK OF OUR CIVILIZATION AND THE BACKBONE OF SOCIETY

Consequently, Mr. Speaker, I was shocked to find the Constitution flouted and trifled with in such a high place as in a Federal court, where the judge is still a young man, has the office for the rest of his natural life, unless he resigns or be impeached. As I am proud of our American system of government, as I love our great constitutional system, constituted of both the Federal Constitution and all the State constitutions, together making up the "American Constitution," so I was humiliated to find that a Federal judge, having office for his whole lifetime, should not appreciate his oath nor respect the obligations of his office.

Surely he can not and will not plead ignorance. Nothing short of a purposeful and intentional disregard of the elemental and manifest principles of constitutional law can explain his decision. If we can not trust our judges to be conservative and dependable interpreters of the Constitution and of our statute laws, then what will become of American liberty? What then stands between our people and chaos, save the conscientious and conservative administration of law by our courts? I love the American constitutional system above all else. I have studied it since early boyhood. While yet a 16-year-old boy, working on the farm, I would study by an oil lamp late into the night John C. Calhoun's Disquisition on Government, and also his Exposition of the Constitution of the United States.

These great and lasting productions of one of the greatest brains in history fit harmoniously and helpfully into the study of Cooley's "Constitutional Limitations." From these it was an easy step to the study of cases from the able Supreme Court of South Carolina, as well as the long line of historic decisions from the Supreme Court of the United States. These great decisions stand along our history like lighthouses stand along the shore. They guide us and they warn us. They show us the right track and they point out the dangerous places. Let us hope that no other judge of high or low degree, whether State or Federal, will ever so far forget his oath and so ignore his duty, and so fly in the face of his own intelligence, as to hold that 1 of any of the 19 amendments now recognized as parts of the Federal Constitution is null and void. Manifestly, I am not dis-

turbed merely because this decision affected the eighteenth amendment. With me it is not a question of prohibition or antiprohibition. This issue which I raise is, to my mind, far above any difference between the wets and the dries. This question of the loyalty of a judge to the Constitution and of the binding force of his oath go to the very heart of American liberty.

UNEMPLOYMENT AND RELATED LEGISLATION

Mr. O'CONNOR of Louisiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of unemployment.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. O'CONNOR of Louisiana. Mr. Speaker, I do not believe that there is a man or woman on the globe that does not sorrow with the world and himself at the grievous malady that has come in the form of hideous depression and appalling poverty to the children of men, in the cities and in the country, in capitals and in the wildernesses of Europe, Asia, Africa, and America, for we are all feeling sorely the affliction that is again cursing humanity with a recurrent visitation.

What are we going to do about it? Frankly, I do not know; and in making that confession I am quite sure that I am not admitting an ignorance that is not the common liability of mankind. Most economists declare the hard times that have bowed the heads of millions of men and written lines of agony on the faces of women are the result of inflation and overproduction. If that be the cause of the disease, why not apply the remedy that labor advocates? Why not apply the shorter day and the shorter week in an effort to remedy a situation that cries out from the hearts and tongues of myriads for solution? Inflation and overproduction would disappear within a short time along every conceivable line under such a new dispensation. Intellectualists assert that it would go to the core of the disease that is withering us body and soul, instead of being a temporary poulticing such as is suggested in many bills proposed that are nothing more nor less than propositions to violate economic law by act of Congress.

As Madame Roland stepped from the tumbril and moved toward the guillotine she murmured, "O, Liberty, how many crimes are committed in thy name?" Many thoughtful Americans to-day are wondering how many follies will be proposed in the name of unemployment. Far be it from me to criticize anyone for offering a solution for the depression that exists, for it is on the anvil of discussion that the spark of truth will fly. And I know if I could contribute to that solution which the votaries and disciples of the philosophy known as *laissez faire* say must come on the theory that the sickness must run its course and purge itself of its death-dealing poisons, I would not—paraphrasing, if not repeating, the language of a great American statesman—exchange the proud satisfaction which I should enjoy for all the triumphs ever decreed to the most successful conqueror. That school of thought holds that production must slow down as an irresistible and inescapable result of the present surplus and consumption which is incessant, however much it may be retarded by the lack of purchasing power on the part of the unemployed, will soon bring industry and trade back to normalcy. If nothing else, it is a rainbow of hope in the sky or a silver lining to the cloud which has hovered over us so long, but which, after all, may be big with mercy that shall break with blessings on our heads and hearts.

But, my friends, let us consider carefully the remedies that are so freely offered as panaceas for all our ills. Without questioning the sincerity of those who will offer their nostrums, let us beware lest we fly to ills we know not of.

There is now under consideration by the House Committee on Agriculture a measure which in my judgment is purely and simply proposed class legislation which seeks to misuse the taxing powers of the Government to enhance the profits of one industry by destroying the life of another industry.

This bill is brought here by representatives of one industry, who demand its passage, and its object is the total destruction of another legitimate business, the oleomargarine industry. It is a measure founded solely upon selfishness and power, and is being nursed by one of the strongest lobbies that ever came to the Capitol. Stripped of all sophistry and high-sounding and appealing phraseology, the real motive behind this bill is to suppress the sale of oleomargarine.

In the beginning of this campaign, sometime since, to bludgeon and strike down the oleomargarine industry interested persons sought to arouse the fears of the people against it, charging it was filthy and deleterious to health. But the overwhelming testimony of chemists and physicians drove them from this position and they changed their attack to the cry of fraud.

The existing oleomargarine law and this proposed amendment are subterfuges. There is not the shadow of pretense that this bill is to be a revenue bill. There has been nothing said by the proponents of this bill as to what revenue will be derived or that such revenue is needed. Yet these people appeared before the Committee on Agriculture and demanded a favorable report on this measure, which has only one aim, and that is to drive out competition and leave them with a complete monopoly.

Who seeks the passage of this bill? There can be only one answer to that question. The butter interests. Where are the thousands of consumers who buy oleomargarine by necessity or choice? Obviously, they can not come here. There is not time for them to organize and oppose this bill. The bill was introduced out of a clear sky and from all indications the proponents hope it will be railroaded through both houses of Congress with unprecedented speed. The people who are opposed to this bill are your constituents. They are at your mercy and are relying upon you to see that their interests are safeguarded. They are entitled to more consideration than the highly organized interests which dominate and control the production of butter in the United States.

I have said that the existing oleomargarine laws and this amendment are a subterfuge in that they are disguised as a revenue measure when revenue is not intended or expected. Some Members of Congress think it is worse than that. Congress can not tell the people of any State that they can not manufacture oleomargarine from natural colored fats or from any other kind of fats. Yet this bill seeks to have Congress do indirectly what it can not do directly under the flimsy pretext of a tax which is neither designed nor expected to produce revenue. It seeks to destroy a legitimate business by an abuse of the taxing powers of the Government. I challenge the proponents of this bill to change its verbiage and state on the face of it that it is intended to drive out of existence an industry that by competition is injuring another industry. How many Members of Congress would vote for this measure if so drawn as to state clearly and unequivocally it is without reservation or equivocation, as the legalists say? Not one; as it would be something like a violation of their oath to uphold the Constitution. Yet the advocates of this bill are seeking to have Congress, under the pretext of a tax, enact legislation that is clearly unconstitutional.

In this bill and in this proposition lies a menace to the liberties of the people of this country. It is an assault upon personal rights and freedom. It is a doctrine of discrimination as between two American industries that simply means spoliation of one to build up another. It is a doctrine that strikes at the very heart of our Government, under which every man is equal. There is not an industrial right in the United States that may not be overthrown in this way. It would be just as logical to put a suppressive tax on cottonseed oil to enhance the sales of hog lard, or to put a tax on beef to force people to eat more pork or mutton, as it is to propose a tax on oleomargarine. What would be the attitude of these butter advocates if a bill were introduced to put a tax on all butter that is artificially colored? Would

this Congress give favorable consideration to such a measure? These butter people brought before the Committee on Agriculture a food expert, who stated that the yellow coloring of carotin in June butter indicates the presence of that precious vitamin A. Does not the absence of this yellow coloring in butter produced during the winter months indicate an absence of this same vitamin? This gentleman who appeared here as a food expert proved that this is true, which leaves no doubt in the minds of the people that the artificial coloring of millions of pounds of butter is a fraud.

This bill is questionable upon any principle of justice or necessity. It is a plain attempt of the strong to crush the weak.

I believe that every plea of the proponents of this bill is lacking in wisdom. I will prove this in a simple manner. The oleomargarine manufacturers, I am informed, are willing to go to extremes to have every ounce of oleomargarine sold and consumed in this country go to the consumer as such. This is no idle statement, I understand, as the manufacturers have repeatedly expressed themselves in this connection, and no class of business from current report in this country is represented by men of higher standards of business principles.

My friends, I am going out of congressional life very shortly, but I would be recreant to those principles of government and square dealing which is the ark of the covenant of every civilization if I did not invite your attention to the dangers that beset us in the operation of some of our laws and the perils that lie in proposed legislation.

I have letters from gentlemen who have sat in conference on the economic effects of the Federal agricultural marketing act, and have heard reports from more than 20 experienced high-type business men who are informed in a world-wide sense. The net meaning of all these reports is that as a result of Government control and interference merchants and consumers wherever possible are substituting foreign-grown cotton for American, and that American cotton producers are very rapidly losing their world markets.

Quo vadis—whither goest thou—might well be addressed to the thought and conscience of intellectual America today. I repeat that this is no criticism of those who believe they have remedies for our social and economic ills, and write them to the Congress and the country as the panaceas that will lead us out of the wilderness and into the land flowing with milk and honey. I question the merit, the wisdom and the constitutionality of the Federal farm or agricultural marketing act as administered and in its effects for it is putting the Government into business against thousands of its citizens destroying the results of years of assiduity and toil in a manner never contemplated by the fathers, the immortals who gave to the world the greatest document that ever came from the pen of man and who conceived a government of the people by the people and for the people and not a government of bureaus, by bureaus, and for bureaus and special interests.

My colleagues, I will close this address which I hopefully commend to your thoughtful consideration in the language which I used in addressing you on the subject of "When we violate economic law."

Our cotton trade is sick because world trade is sick. The disease will run its course and the patient will recover. Meanwhile the nostrums the Government may cook up can not help but may do permanent harm. There is but one remedy—greater economy in production—and nobody seems to be urging that remedy. I here and now urge it as a better way out of our difficulties.

But the economies so necessary to secure our ends must be effectuated without adversely affecting labor. We can not decrease the purchasing power of the toiler without adding to the agonies of our travail.

Trade, the Promethean giant of civilization, is bound to the rock of hard times. Stark poverty is gnawing at its vitals and the night of despair seems unending. It has violated the law by stealing the fire of consumption from the masses of the world. But it will be unbound when it has expiated its offenses of violating the eternal and unceasing law of supply and demand, and cured itself of the grievous wound inflicted by overproduction, which drew the lifeblood, the profits of commerce, into the coffers of the few, while the many knew not where to lay their heads. Industry has learned a terrible lesson, and the day when it does come will be all the brighter that the night has been so

long and so dark. The world has been made to carry its cross for the sins of those in whose leadership the myriads reposed confidence. There will be a resurrection through obedience to those laws without which trade must again and again suffer bloody sweats.

With contrite spirit let us look to the morn and seek and find consolation in Cowper's immortal lines:

"God moves in a mysterious way
His wonders to perform;
He plants his footsteps in the sea
And rides upon the storm.

"Ye fearful saints, fresh courage take,
The clouds ye so much dread
Are big with mercy, and shall break
In blessings on your head."

CONSIDERATION OF BILL FOR RED CROSS RELIEF

Mr. CANNON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by including a memorial from the State of Missouri.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CANNON. Mr. Speaker, under leave granted to extend remarks I include the following resolution adopted by the General Assembly of Missouri. The Red Cross reports there are 50,000 people in need of assistance in Missouri alone, and this memorial by the State legislature is both appropriate and timely. I trust we will be given an opportunity for early consideration of this urgent measure.

RESOLUTION

Memorial to the National Congress and President of the United States:

Whereas the drought of last year and the widespread unemployment caused by the depression in every line of business has rendered thousands of farmers and workmen practically destitute and wholly unable to provide their wives and children with food and clothing, causing great suffering among thousands of our best citizens; and

Whereas there is now pending before the Federal Congress a bill to appropriate \$25,000,000 to the Red Cross as a relief fund; and

Whereas our people have already contributed heavily to local charities and to ask them to individually contribute sufficient funds to the Red Cross to relieve the distress now prevailing would be to place an unreasonably heavy burden upon them; and

Whereas in 1919 our Congress voted \$100,000,000 to feed the hungry of Europe; in 1921 we gave \$24,000,000 to feed the hungry of Russia; and in 1925 gave \$6,000,000 to the earthquake victims in Japan; and in 1928 we gave \$8,000,000 to the suffering farmers of Porto Rico: Therefore be it

Resolved, That it is the sense of the House of Representatives of the State of Missouri that the Congress of the United States should pass said appropriation bill, and that the same should be approved, to the end that our own suffering people may have the same needed relief that our Government has so often extended to victims of distress in other lands; and be it further

Resolved, That the chief clerk of this house send a copy of this memorial to each Member of Congress from the State of Missouri and to our two United States Senators and a copy to the Hon. Herbert Hoover, President of the United States.

Offered by Mr. Chancellor.

Adopted January 19, 1931.

UNEMPLOYMENT AND THE CAPPER-KELLY BILL

Mr. COCHRAN of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the Capper-Kelly bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COCHRAN of Missouri. Mr. Speaker, as a close observer of human affairs, I have wondered whether the relationship between rapidly growing and spreading mergers and potential monopolies and the lamentable unemployment situation is receiving the serious consideration it deserves. Limitations of time prevents more than a passing reference to this matter. In my district alone, in the city of St. Louis, we have hundreds of chain stores. The operation of every one of these stores means the wiping out of independent stores and all their employees and of delivery wagons and trucks, because practically all of these stores are what is known as "cash and carry." That means that hundreds of persons engaged in that service have been driven out of that employment.

Further the means of delivery or transportation of merchandise has been curtailed to that extent. The production

of delivery wagons and motor trucks has been reduced that much. The employment of those engaged in this production has been curtailed to that extent. The buying power of those persons engaged in rendering that service has been reduced unless they have obtained other employment. This is unlikely, because the service rendered was unskilled, or manual labor. What has happened in my congressional district is multiplied by the total number of districts representing the large and small cities of the United States. It is safe to estimate, therefore, that the number of persons thrown out of employment by the elimination of independent stores and the abandonment of local delivery service runs into the tens of thousands. What is worse, practically all of these persons thus deprived of employment have families, multiplying the number in distress by at least five. The buying of the necessities of life on their account necessarily has been curtailed. Is it any wonder that we have been suffering from overproduction? The abandonment of local delivery service, of course, constitutes only one of many contributory causes of unemployment, with its far-reaching and disastrous consequences.

It is estimated that there are approximately 1,500,000 independent retailers in this country. This total represents what is left of a much larger number who were engaged in the retail business before their elimination by the chain and department store and mail-order house system of retail distribution. The slogan of the hour is "Buy now." This is timely and commendable. Something more than an appeal of this character is required. The 1,500,000 independent retail merchants must be placed in a position where they can "buy now." How can they be placed in this position? By removing as far as possible the destructive competition with which they must contend—the competition of chain stores and mail-order houses that advertise nationally known and popular brands of merchandise to the public at wholesale cost, or less, in the form of "special bargains," to attract the unwary into such stores for the purpose of selling private brands and unidentified merchandise, the value of which is unknown to the public.

When a great oil corporation resorted to price cutting to destroy its competitors the Congress enacted the Sherman antitrust law and dissolved it. This was done to preserve competition as the best protection of the public. Today we witness the destruction of the competition of independent retailers by the unfair practices of chain stores and mail-order houses, and when a legislative proposal such as the Capper-Kelly fair trade bill is submitted it is denounced as a "price fixing" measure, inspired by greedy manufacturers of trade-marked articles for the purpose of swelling their profits. Of course, there is no evidence before the Congress that such manufacturers have urged the enactment of the Capper-Kelly bill. It is insisted that independent retailers do not know what they want, although they are ripe with the unfortunate and costly experience they have had with chain stores and mail-order houses and some of the large manufacturers who supply them with merchandise, the price of which frequently has been dictated by the chain stores and mail-order houses. The fact that the Capper-Kelly bill is permissive and not mandatory and that producers and distributors are not compelled to make contracts stipulating the resale price unless they see fit to do so is not acknowledged by the opposition to the bill. The fact that any article the subject of the contract sanctioned by the bill must be in "fair and open competition" with articles of a similar class is also ignored by the opposition. Nor has the opposition answered the statement of the fact that resale prices are maintained throughout the Union by such large aggregations of capital as the establishments of Henry Ford, General Motors, General Electric, and the transcontinental railroads. Nobody has yet been heard to say that resale price maintenance practiced by all of these and many other large establishments has been hurtful to the consuming public.

I respectfully submit that if it is a wise and sound public policy to sanction resale price maintenance by the agency and consignment system of distribution and by the trans-

continental railroads and the Federal Government in the fixing of prices of railroad tickets and the cost of postage stamps, the maintenance of resale prices by contracts between manufacturers of competitive trade-marked articles and vendors should also be sanctioned. This would serve only to preserve and promote competition. Will anyone deny that chain stores and mail-order houses, some of which combine mass distribution with mass production, should not have competition? How can competition be maintained if independent manufacturers, wholesalers, and retailers are permitted to be driven out of business by the mergers and potential monopolies? The opposition to the Capper-Kelly bill insists that the public welfare will best be promoted by mass production and mass distribution without competition.

I have said that the way to enable the one and one-half million independent retailers of the country to "buy now" is to place them in a position where they can "buy now." Pass the Capper-Kelly bill at this session of Congress and you will find that thus encouraged, the one and one-half million of independent retailers will "buy now," and if each buys on an average of \$1,000 worth of merchandise not less than one and one-half billion dollars will represent the purchases made by these independent retailers. Just imagine what effect this would have on the production and consumption of the United States. Fancy what effect this would have on the unemployment situation; it would increase reemployment by leaps and bounds.

A bill of this character has been pending for many years. Tuesday will be the first time it has ever been before the House for a vote. I think in those many years probably a million letters have reached Members of Congress. Some of the propaganda has been misleading to say the least. Take for instance the booklet sent to Members of Congress by Prof. C. W. Doten, of the Massachusetts Institute of Technology. This booklet was answered by Prof. Lee Galloway, vice president of the Alexander Hamilton Institute. Professor Galloway's letter to Professor Doten is self-explanatory and gives much information of value to the Members. I include it as part of my remarks.

ALEXANDER HAMILTON INSTITUTE,
New York City, November 21, 1930.

Prof. CARROLL W. DOTEN,
Cambridge, Mass.

MY DEAR PROFESSOR DOTEN: I am very much interested in your circular letter of November 8 containing copy of the Kelly resale price bill (H. R. 11) together with a questionnaire and a reprint of the argument between Mr. Dammann and Mr. Namm concerning this subject.

From a careful examination of the questionnaire, I feel convinced that it fails to state thoroughly the true situation, and for that reason it would have a wholly unintended effect of misleading some of the persons to whom it goes.

Take the first question, for instance:

1. "Do you think the manufacturer should have the legal right to control the retail prices of his products?"

In the first place, the only products under discussion are branded or trade-marked products. In the second place, the manufacturer already has a legal right to control the retail prices of his products in three highly effective ways: First, by dealing directly with his retail distributors and by refusing to sell any more products to any retailer who cuts prices on the products he already has; second, by consigning the goods to the retailer and retaining title thereto until they are sold at the price named by the manufacturer; and, third, by establishing retail chains like the well-known Douglas or Ward shoe chains.

Accordingly, it seems clear that the opening questions be split into several questions, something like the following:

1. "Do you think the manufacturer of trade-marked products or so-called 'specialties' should have the legal right to control the retail prices of his said products not only by consigning them to the trade, or by refusing to sell the goods to any known price cutters, or by establishing retail chain outlets, as the law now permits, but also by making contracts with his distributors by which the retail price is established?"

2. "If you think the manufacturer should not have the legal right to control the retail prices of his trade-marked products by contract, do you think the law should be changed so as to deprive him of the right to control said prices by either the consignment or the refusal of sales or the retail chain systems?"

3. "In view of the fact that the consignment, refusal of sales, and retail chain systems for permitting the manufacturer to control his retail prices are more expensive than the contract system of controlling retail prices, do you not think that the less expensive system should be legalized for the purpose of competing with the more expensive systems now in common use?"

4. "Do you favor the policy under which the Government now controls the retail prices on stamps and on Government publications?"

5. "Do you favor the policy of controlling the prices on railroad tickets by restraining or prohibiting the practice of ticket scalping?"

6. "Do you favor or oppose the statutes by which insurance agents are prohibited from splitting their commissions on insurance as a means of lowering the price below that established by the company which is selling the insurance?"

7. "Do you favor the control of retail prices on newspapers and periodicals by the publishers thereof?"

I have taken the liberty of suggesting the above several additional questions merely to indicate my opinion that the practice of permitting what, in effect, is the producer of merchandise, insurance, transportation, stamps, newspapers, and the like, strictly to control the retail prices thereof, is a thoroughly established one under present law. The scalping of railroad tickets was pure price cutting. The railroad companies were granted injunctions against it and in that way were permitted to control the retail prices of their tickets. All publishers are permitted rigidly to control the retail prices of their newspapers and periodicals. If this were not so, various concerns would give the newspapers away as premiums and this would drive many regular news dealers out of business. Fruit stands would carry newspapers as a side line, giving them away as bargain bait or as premiums on the sale of other merchandise. The splitting of insurance commissions is in effect merely price cutting on insurance. If it were not prohibited by law, many agents would throw in life insurance policies as part of a trade involving real estate or automobiles, and the whole insurance business would be demoralized.

If you agree that my suggested questions 1, 2, 3, 4, 5, 6, and 7 are proper questions, it would be helpful to bring them to the attention of those who are considering the general subject.

It is the contention of the proponents of the Capper-Kelly bill that the existing legal systems of controlling retail prices by means of expensive consignment devices and refusal of sale practices (which require the elimination of the independent wholesaler) and of retail chain systems, with a total suppression of the inexpensive contract system of maintaining prices, whereby the organizations of large capital can control their retail prices and protect their retail distributors against price cutting, while the manufacturers with small capital can not control their prices or protect their retailers, are bringing about a revolution in our whole economic system, as a result of which the large organizations are growing larger and the small organizations are growing smaller.

It is the contention of the proponents of the Capper-Kelly bill that the law should be made fair and equitable, that either the little manufacturer and the little retailer should be able to protect the retail prices by means of inexpensive contracts or else the law should be changed so as to prohibit the organizations of large capital from controlling their retail prices by means of consignments, refusals of sales, or vast chain-store systems, and that if price cutting and premium giving are in the public interest that system should be extended by repealing the statutes which protect the retail prices on stamps, life insurance, railroad tickets, Government publications, and the like. In other words, let us have either a retail-price-cutting system or price-control system. Do not let us have a mere bastard system by which large capital can control its retail prices, but small capital must be demoralized and driven into ruin.

Finally, may I add that the reprint of the article *Price Maintenance v. Price Freedom* which sets forth the views of Judge McCook and Messrs. Milton Dammann and Benjamin H. Namm, gives an entirely false picture of the situation. That article implies that all manufacturers want to secure retail price control by means of contract and that all retailers oppose this freedom of contract. The facts are quite different. I have no hesitancy in saying that nine hundred and ninety-nine out of every thousand retailers are strongly behind the Capper-Kelly bill and that this bill is their hope of salvation against the price cutting demoralization which is now so seriously injuring them.

I also feel safe in stating that most of the large manufacturers who now control their retail prices by means of chain outlets, consignment systems, and refusal of sales methods are violently opposed to the legalization of the inexpensive contract system of price control because they realize that it will take away the special privileges which they are now enjoying under the law and will enable a number of small competitors to enter into very effective price competition with them.

You will see then that the true picture of this legislation is that the small manufacturer is opposed by the large manufacturer. The small producer wants a legalized contract as a means of protecting his independent retailers against ruinous price cutting, and the great majority of the retailers, all of them in fact except a small fringe of predatory price cutters, are working for this legislation as a means of protecting them from further unfair competition by the big chain organizations and the like.

Under the circumstances, where the matter is of such moment to vast numbers of small independent retailers and small manufacturers, I do not believe it will be expecting too much to request that an additional questionnaire be sent out along somewhat the lines I indicated, and in sending such questionnaire it seems only fair that there should be included with it a copy of the report of the Interstate and Foreign Commerce Committee of the House of Representatives, in which this bill was recommended for reasons therein set forth. Certainly that report would be a

much more conservative and fair document to send out than an article which sets up the essentially false contention that this whole Capper-Kelly question is a fight between the manufacturers on one side and the retailers on the other. Nothing could be further from the truth. I repeat that it is really a fight primarily by 999 independent retailers for protection against predatory price cutting by a few larger retailers and it is also a fight by many small manufacturers for equality of opportunity and for a small measure of the protection which existing law unfairly accords to their larger competitors.

Very sincerely,

LEE GALLOWAY, Vice President.

Getting back to the unemployment situation and the millions of our people in distress, I say now that if the Congress and administration does not answer their appeal there will be a day of reckoning and it will be in November, 1932, if not before. The millions now suffering will have a voice and I predict it will be recorded in unmistakable terms.

The Red Cross might be a great organization, but this is one situation which will require more money than can ever be raised by popular subscription.

We all know January, February, and March are always classed as slow months. It will be April before the building trades are again employed. What is to happen between now and then? For the first time in history labor unions in my city are relieving their members from paying dues. The officers are working without pay for given periods, a voluntary act on their part.

There are 75,000 people out of work in St. Louis, which means the buying power of the 75,000 and their dependents has been curtailed. The Red Cross tells us one-third of the people in Arkansas will need relief in the very near future. This condition exists in Missouri to a certain extent. The counties north from Arkansas to within 70 miles of St. Louis have over 50,000 in need of help at the present time, and the number is increasing daily.

It is no credit to our country that these unfortunate people were allowed to go for weeks without being taken care of. Only after honest men stormed stores in search of food did the officials recognize the gallant fight made for humanity by the Senators and Representatives from Arkansas.

We must face the facts, and the facts are that never in the history of the country have so many of our people been in absolute want. Sooner or later there is going to be a Government appropriation for relief—money which will be used to buy food for the farmers and people of the large cities. As that is certain, therefore, I say do it now and do not wait until it is too late.

Oh, they say it will be setting a precedent to appropriate money to buy food for the starving. Is it not fair that when we appropriate money to feed cattle, hogs, and horses, that we can likewise appropriate money to feed our citizens in distress. We bought food for foreigners, why not for our own?

The Senate amendment to the appropriation bill will come to a vote in the House and when it does it will be agreed to. If it is not, those responsible for its defeat will be retired from public life when the day of reckoning arrives in November, 1932, and I refer to members of all parties.

EXTENSION OF REMARKS

Mr. HENRY T. RAINEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an article by Sarah John English on Hon. Newton Cloud, an Illinois pioneer and statesman and chairman of our convention of 1847.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD by printing the article referred to. Is there objection?

Mr. SPROUL of Illinois. Mr. Speaker, I object.

COPPER-KELLY PRICE CONTROL BILL

Mr. COX. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Capper-Kelly price control bill by printing a letter from me addressed to the membership of the House; a letter from the gentleman from Pennsylvania [Mr. KELLY] addressed to Senator CAPPER, and the Senator's reply thereto; a list of branded merchandise furnished me by a retail dealer at my request;

and a brief article printed in the Women's Wear Daily, a retailers' newspaper published in New York.

The SPEAKER. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD by printing certain letters and articles with reference to the Capper-Kelly bill. Is there objection?

There was no objection.

Mr. COX. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include a letter by myself to the membership of the House, a letter from Hon. CLYDE KELLY, and the reply, together with a short article from the Women's Wear Daily, of New York.

The letters and article follow:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 20, 1931.

DEAR COLLEAGUE: In addition to what I have already said in speeches on the Capper-Kelly price maintenance bill, I wish to call your attention to one or two additional matters deserving of consideration.

The Senate resolution directing an inquiry into the price of bread and sugar products to determine why the consumer is still burdened with high prices when wheat and sugar are selling at prices lower than has been the case in the memory of most Members of Congress, comes on the eve of the consideration of a price enhancement bill in the House which, if passed, is to keep up the price of thousands of commodities when the basic costs of materials and labor come down.

It is precisely the purpose of the price maintenance bill to permit manufacturers to control final selling prices so that any decline in their costs adds to a profit they can keep in their own pockets, the consumer to pay the price. If costs increase, under this bill the manufacturers can and will increase their selling prices. If costs decline, under this bill they will have the bulwark of a price-maintenance contract to keep these savings from going to the consumer.

This is not the only item before us. Justice Bailey, in Federal District Court, District of Columbia, has recently modified the packer-consent decree and placed the big packers again in the business of manufacturing and distributing many kinds of products. The court has not clothed them with the ability to go into retail business. The price maintenance bill, if passed, will clothe them with the authority to dictate retail-sales prices, and the size of their operation will give them power. Is this desirable?

The policy of Congress has been to maintain fair competition in business so that savings in manufacturing and distributing costs may be passed down through the channels of trade to the consumer. The bill before us reverses this policy and interposes a legal authority for certain interests to place a bar across this free flow of savings and lowered costs, so that reductions in either manufacturing or distribution costs will remain entirely in the hands of manufacturers and distributors.

Cordially and sincerely yours,

E. E. Cox.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 21, 1931.

MY DEAR COLLEAGUE: You have received a letter from Mr. Cox, of Georgia, dealing with the Capper-Kelly fair trade bill. Immediately upon its receipt, in view of the fact that it referred to the inquiry being made by Senator CAPPER's committee under the Senate resolution referred to, I submitted it to Senator CAPPER with the following letter:

"MY DEAR SENATOR CAPPER: May I ask you to read the inclosed letter sent to each Member of the House by Representative Cox, of Georgia, and give me your reaction to his contention.

"As chairman of the Senate committee investigating retail prices of bread, sugar products, etc., you are directly interested. I am sure you will desire to answer the implications of this letter.

"Thanking you for your consideration of this matter and with highest personal regards, I am,

"Sincerely yours,

"CLYDE KELLY."

I am herewith inclosing copy of a letter sent me by Senator CAPPER which is complete refutation of the charge made in the letter you received from Mr. Cox.

Sincerely yours,

CLYDE KELLY.

UNITED STATES SENATE,
COMMITTEE ON THE DISTRICT OF COLUMBIA,
January 21, 1931.

HON. CLYDE KELLY,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN KELLY: Your letter of January 21 just received. As you say, I am interested in the statements by Representative Cox, of Georgia, seeking to justify his opposition to the so-called Capper-Kelly fair trade bill by the argument that it prevents reduction of prices on trade-marked goods in accordance with the fall in commodity prices. He calls attention to the in-

quiry now being made under Senate resolution into the prices of wheat and sugar products.

The exact opposite of Mr. Cox's contention is true.

I am chairman of the committee referred to as investigating retail prices of bread, sugar products, etc. I am coauthor of the Capper-Kelly bill. In both capacities I am acting for the protection of the American consumer against monopoly control.

If undue prices are being exacted for bread-sugar products, etc., it is because fair competition is not exercising its proper influence. Under fair competition there will always be prices which tend to the lowest point which affords any profit in production and distribution. Under fair competition lowered cost of raw materials will always be reflected in lower prices to consumers.

Everyone knows that that was the situation when the little individual bakers supplied their own neighborhoods with bread. They were put out of business by cut-throat competition. Prices were cut to a ruinous point, until these little bakers were destroyed, and then prices were raised to recoup all losses and much more. To-day, the great chain grocery systems have their own bakeries and use bread as one of the great profit makers, since it bears only their own brands and can not be directly compared with other bread.

The implication that trade-marked competitive goods have not responded to lower commodity levels is not true. Under the Capper-Kelly bill there will be lower prices to consumers than under either combination control or under cut-throat competition, both of which systems menace us at the present time.

I sincerely hope that the House will pass this beneficial measure at the earliest moment possible.

Sincerely yours,

ARTHUR CAPPER.

BRANDED MERCHANDISE WHICH HAVE SHOWN NO CHANGE IN WHOLESALE PRICE BETWEEN JUNE 1, 1929, AND DECEMBER 1, 1930

Revelation suit case; Morgan tinted toilet tissue; Scott tissue; Johnson wax (1 pound); Palmolive soap; Lavaris; Listerine; Squibb's aspirin; Phillip's milk of magnesia; Pinaud eau de quinine; Pond's cold cream; Frostilla; Royal baking powder; Kellogg's corn flakes; Shakers salt; Borden's condensed milk; Borden's evaporated milk; Baker's cocoa; Burnetts extract; Beech Nut peanut butter; Quaker Farina; Campbell's soup; Campbell's tomato soup; Wamsutta sheets (72 by 108); Wamsutta sheets (90 by 108); Wamsutta sheets (45 by 33½); Stakmore card table; New Perfection oil heater; Heinz catsup; Goodman's macaroni; Quaker Oats; Kroffite golf balls; Community Plate teaspoons; Community Plate forks; Zeiss binoculars; LeMaite opera glasses; Taylor oven thermometer; Taylor storm guide; Ciné kodak; Kodascope C; Kodascope B; Ciné film (100 feet); Panchromatic (100 feet); Kodacolor (100 feet); Bell & Howell camera; Bell & Howell projector; vest-pocket kodak; No. 1 pocket kodak, 29; 1A pocket kodak; 2C pocket kodak; 3A pocket kodak; 2 Brownie; 2A Brownie; No. 120 roll film; No. 116 roll film; No. 122 roll film; Prince Albert tobacco; Velvet tobacco; Admirable cigars; Blackstone; High Life Queens; Goodman's noodles; Puffed Wheat; Puffed Rice; Cream of Wheat; Shredded Wheat; Comet rice; H. O. oats; Duryea's corn-starch; Uneda biscuits.

BRANDED MERCHANDISE WHICH HAVE SHOWN DECREASE IN WHOLESALE PRICE BETWEEN JUNE 1, 1929, AND DECEMBER 1, 1930

Detecto, Jr., scales, Silver Lake clothes line, Mutschler table, Heinz chili sauce, Community flat service, Charles the Great cigars.

BRANDED MERCHANDISE WHICH HAVE SHOWN INCREASE IN WHOLESALE PRICE BETWEEN JUNE 1, 1929, AND DECEMBER 1, 1930

Colmont binoculars, Bauer glass thermometer, Oshkosh canvas trunk, Lucky Strike cigarettes, Camel cigarettes, Chesterfield, Old Gold cigarettes, Milano pipes, Conti Castile shampoo.

[From the retailers' newspaper, Women's Wear Daily, January 21, 1931]

URGES COAST EFFORT TO FORCE BRAND LINE PRICE REDUCTION

SAN FRANCISCO, January 21.—The desirability of bringing, through store buyers, pressure to bear on manufacturers of nationally advertised merchandise to compel them to reduce their prices to an extent commensurate with the current lower prices of production and raw material has been urged by R. P. Connally, general manager of the Emporium, in a letter to members of the San Francisco Dry Goods Association, of which body Mr. Connally is also president.

Where it is impossible to effect a reduction, the desirability of so advising customers, through the retail salespeople, is also stressed by Mr. Connally.

The text of Mr. Connally's letter follows:

"To the members of the Retail Dry Goods Association:

"May I respectfully call your attention to an article in Saturday morning's Chronicle featuring an appropriation of \$15,000 by our National Congress for the expense of an inquiry into the reasons why retail prices of bread and sugar have not been adjusted to conform with reductions made by the manufacturers and producers. This action, it seems to me, has a direct relation to a situation which the retailers of San Francisco must face, namely, that a customer who finds in your store identical merchandise marked at the same price as a year ago will undoubtedly be inclined to judge your entire stock accordingly.

"A survey of your store will indicate, I think, that with relatively few exceptions, items which have not been lowered in price

within the last 12 months are either nationally advertised articles or some few articles with cotton as their base, the price of which was reduced prior to last year.

"The point I should like to make is the desirability of bringing pressure to bear, through your buyers, upon manufacturers of such nationally advertised articles, and, in cases where it is impossible to effect a reduction, the importance of advising customers, through your sales people, that in the particular instance the price has not been reduced by the manufacturer. Such a practice would be helpful not only to your store but to all stores by removing the impression which might otherwise be created in the customer's mind that little if any of our merchandise has been reduced.

"As we all know, in practically every case where a reduction has been made by a producer or manufacturer, competition has definitely forced a similar reduction in the retail price.

"If pressure such as I have suggested is brought to bear by all buyers in San Francisco I feel that a response from manufacturers will very quickly be felt.

"Sincerely yours,

"(Signed) R. P. CONALLY,
"President Retail Dry Goods Association."

ADJUSTED-SERVICE CERTIFICATES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a copy of the resolution passed by Victory Post, No. 4, of the American Legion, District of Columbia, indorsing the proposal to pay the adjusted-service certificates in cash. I make this request after filing petitions representing more than 100,000 signatures in the United States, and I have never asked to put one in the RECORD before.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD by inserting a resolution adopted by Victory Post, No. 4 of the American Legion, District of Columbia. Is there objection?

Mr. SPROUL of Illinois. Without the names?

Mr. PATMAN. Without the names.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATMAN. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following resolutions offered by Victory Post, No. 4 (membership 780), of the American Legion, Washington, D. C., and presented to WRIGHT PATMAN and other Members of the House of Representatives by Raymond Burke January 21, 1931, on the Capitol steps:

Whereas the adjusted compensation act, passed by the United States Congress in 1925 for the benefit of the World War veterans, provided for a bonus (varying in amount according to length of service) to be paid to all American ex-service men entitled thereto, and

Whereas, in pursuance of said act of Congress, Government certificates for various amounts were issued to 3,186,788 of said ex-service men, with the express stipulation that the money promised thereon would not be due and payable until the expiration of 20 years, namely, not until 1945, although containing a further stipulation providing that any of said veterans in need could, after a certain length of time, borrow a limited amount of money, from year to year, upon the strength of the certificate held by him, and

Whereas, during the last five years, owing to the serious unemployment situation throughout the United States and other causes, 1,200,000 American ex-service men have been compelled to and (according to the official records) have actually borrowed money upon said adjusted-compensation certificates issued to them, which startling fact is conclusive evidence of widespread, urgent, financial need among the rank and file of said World War veterans, many of whom have wives and families who are needlessly suffering and in want; many of whom have homes that are mortgaged; thousands of whom (although willing, able, and anxious to work) are out of employment and unable to find a job; thousands of whom are disabled and (because their disability due to war service has not been deemed to be as high as 10 per cent) are receiving no compensation whatsoever; thousands of whom, with families to support, would much prefer to buy a little home than be compelled to keep on continuously paying rent; many of whom, in addition to their wounds and other hardships, are of necessity harassed by heavy debts, bearing heavy interest, even though these same soldiers have compensation money coming to them 15 years from now amply able to cancel all of their obligations and relieve their families' distress: Now, therefore,

In view of the widespread, urgent, financial need existing among World War veterans as above set forth: Be it

Resolved by Victory Post No. 4 of the American Legion, That we request the national commander, the national legislative officer, and other leading officers of the American Legion to appeal to the President of the United States and to both branches of the American Congress to so modify and amend the adjusted compensation act of 1925 in such manner and form as will entitle each and every

World War veteran, to whom an adjusted-compensation certificate has been issued, to receive, in a lump sum and at an early date, an amount of money equal to the total face value of his certificate after deducting the amount of such loan or loans, together with the interest due thereon and any other just demands properly chargeable against the ex-soldier's certificate: Be it further

Resolved, That instead of making the World War veterans wait 15 years longer for the compensation due and promised to them, the lump-sum, present-payment plan hereinabove mentioned would, in our opinion, not only greatly relieve the strapped financial condition existing among hundreds of thousands of World War veterans, but would materially help the unemployment situation, and, at the same time, in many ways prove advantageous to the industrial, commercial, and economic welfare of our country as a whole. Furthermore, such a procedure would render it unnecessary for a needy veteran to borrow money upon his certificate, with no visible means of repaying said loan, thus causing a large part of the compensation due him to be "eaten up" by the 6 per cent compound interest charged on his loan by the Government in whose defense he risked his life.

Resolved, That a copy of these resolutions be sent to our national commander and national legislative officer, and that such publicity be given thereto as will invite and induce other posts of the American Legion to adopt and forward similar resolutions to our national officers, to the President of the United States, and to appropriate committees in both branches of Congress.

Adopted by Victory Post, No. 4, the American Legion, in regular meeting assembled, at Washington, D. C., this — day of —, 1930.

[SEAL.]

NORMAN P. CASSIDY, Post Commander.

Mr. CLANCY. Mr. Speaker, I ask unanimous consent to state to the House that I have filed petitions carrying over 100,000 signatures of citizens of Michigan praying the House to pass legislation paying the adjusted-compensation certificates in full immediately.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to—
Mr. MOORE of Ohio, for to-day, on account of sickness.
Mr. McMILLAN, for one day, on account of illness.
Mr. GARRETT, for to-day, on account of illness.
Mrs. OLDFIELD, for to-day, on account of illness.
Mr. MONTAGUE, for to-day, on account of illness.
Mr. TARVER, for to-day, on account of illness.
Mr. McKEOWN, for to-day, on account of illness.
Mr. BACON (at the request of Mr. LaGUARDIA), on account of illness.

Mr. CHIPERFIELD, on account of illness in family.

SPEAKER PRO TEMPORE FOR EVENING SESSION

The SPEAKER. The Chair designates the gentleman from New Jersey [Mr. LEHLBACH] to preside at the evening session.

RECESS

Mr. SHREVE. Mr. Speaker, I move that the House do now recess until 8 o'clock p. m.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House stood in recess until 8 o'clock p. m.

EVENING SESSION

The recess having expired, at 8 o'clock p. m. the House was called to order by the Speaker pro tempore, Mr. LEHLBACH.

The SPEAKER pro tempore. Pursuant to the order of the House entered into January 15, the Clerk will call the first bill on the Private Calendar.

W. B. FINNEY

The Clerk called the first bill on the calendar, H. R. 773, a bill for the relief of Capt. W. B. Finney.

Mr. BLANTON. Reserving the right to object, I want to ask my friend why it was he did not get a favorable report from the War Department?

Mr. COCHRAN of Missouri. If the gentleman will look at the report he will see that in the report in the Seventieth Congress, first session, the Secretary of War in a letter addressed to the chairman said:

I feel unable to express any opinion on the merits of the proposed legislation.

Mr. BLANTON. I am not going to take much time on this for it is too small; but there ought to be a favorable report on every bill that comes here from the department.

Mr. COCHRAN of Missouri. If I show the gentleman a report from the War Department will he be satisfied?

Mr. BLANTON. Yes.

Mr. COCHRAN of Missouri (presenting a paper). Well, there it is.

Mr. BLANTON. This is a report which says merely that he is unable to express an opinion.

Mr. COCHRAN of Missouri. Because he says that there is merit to the bill, and for that reason he did not make an adverse report, as the department generally does on such bills.

Mr. BLANTON. If he is honest, and I have no doubt that he is, and the bill is meritorious, there ought to have been a report to that effect. But the Secretary of War has refused to make any recommendation.

Mr. COCHRAN of Missouri. I hope the gentleman will not take it out on the captain, who advanced the money to pay private soldiers from his own funds.

Mr. BLANTON. I am not going to do it this time, because the amount is too small, but hereafter there ought to be a favorable report from every department, and I am going to demand it hereafter.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to Capt. W. B. Finney, of 920 Grand Avenue, Kansas City, Mo., the sum of \$479.14, out of any money in the Treasury not otherwise appropriated, to reimburse him for money paid out by him in line of his duties as captain Company A, Seventieth Regiment United States Infantry, Camp Funston, Kans.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

THE CHARLESTOWN SAND & STONE CO., OF ELKTON, MD.

The Clerk called the next bill, H. R. 1065, for the relief of the Charlestown Sand & Stone Co., of Elkton, Md.

Mr. STAFFORD. Reserving the right to object, since the bill was under consideration in the House I have gone over the report more than once to see whether it involves any good policy that Congress should follow. I had difficulty in reconciling myself to the principle that the Government should recognize increased costs that arose during the war and compensate for these increased charges. If we should recognize this principle nearly every private establishment in the country would have a claim against the Government by reason of the increased freight charges.

I do not know of any instance where we have gone to that extreme in compensating a contractor just because the freight rates were increased.

Mr. COLLINS. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. COLLINS. The War Department says that no claims have been paid where the contract was made after the declaration of war as was the case in this particular instance.

Mr. GOLDSBOROUGH. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. GOLDSBOROUGH. Shortly after the contract was made all the contracts made by the War Department and Navy Department contained a clause that in case of an increase of freight rates there should be a corresponding increase in the contract price. We followed that with evidence before the committee and satisfied the committee that there had been a change in the contract of the War and Navy Departments.

Mr. STAFFORD. Where is the evidence of that?

Mr. GOLDSBOROUGH. It was not placed in the record. The chairman of the committee [Mr. STRONG] will remember the evidence that was submitted.

Mr. STAFFORD. Because of his claim to be relieved of the contract an adjustment was made by the regularly constituted authority and he was permitted to do the work on a cost-plus plan.

Mr. GOLDSBOROUGH. Not this particular part of the work.

Mr. STAFFORD. After the Government gave notice relieving him of the obligations of the contract, he was permitted to carry on the work, and receive profit from the Government on the cost-plus plan.

Mr. GOLDSBOROUGH. I think the gentleman is entirely mistaken in his recollection. Has the gentleman read the report?

Mr. STAFFORD. Yes.

Mr. GOLDSBOROUGH. The gentleman will see, if he looks at the report, that after this particular contract was made the Government condemned his property, but after the Government condemned his property it proceeded to operate the plant. The Government delivered under the old contract price to the engineer's department material which had been contracted for on April 17, 1917, so that he was not relieved at all.

Mr. STAFFORD. It was August 23, 1917. This is not the case of a contract made a few days after the declaration of war. It is a case of a contract entered into several months after the declaration of war, on August 23, 1917.

Mr. GOLDSBOROUGH. But the gentleman is mistaken in his idea that he was relieved from that part of his contract.

Mr. STAFFORD. But after the Government took over the plant and put on a cost-plus basis—

Mr. GOLDSBOROUGH. Not for that work.

Mr. STAFFORD. Not for this immediate work, but he made considerable profit through the Government utilizing his gravel pit.

Mr. GOLDSBOROUGH. On the contrary, I say to the gentleman that to my certain knowledge the Government overloaded his gravel pit. They produced from 12 to 14 carloads a day out of the pit, where the plant could only handle about 5. They ruined it, and it cost him \$12,000 after the work was over to refit it.

Further, they did something else. They took their waste and instead of deposition it where it should be deposited they put it on top of good gravel, so that he had to abandon his plant, and he has been down and out ever since.

Mr. HARE. There is one point in this case that strikes me forcibly and that is this: The original contract to furnish this gravel was made with the Government, and it was made upon the basis that a certain freight would be paid.

Mr. STAFFORD. It was not made on the basis that certain freight would be paid. It was made on the presumption, perhaps, that the freight rate would continue. There was nothing in the contract to say that the freight rate would continue as it was.

Mr. HARE. That is true, but they took the contract with the Government based on its contract with the railroad company for carrying the freight. Subsequent to this the Government took the railroad in charge. The Government did not act in good faith with this man. It said, in effect, "We will not carry this sand and stone at the same rate at which you contracted before contracting with us," and instead the Government increased the freight on the sand and stone and cement, and so forth, and it is only the difference, as I understand it, between the original charge or the original freight rate that prevailed when the contract was made and that charged by the Government.

Mr. STAFFORD. The Government did not increase the rate on this contract alone.

Mr. HARE. No.

Mr. STAFFORD. Hundreds of private contractors had to pay more for their freight.

Mr. HARE. But these private contractors did not have contracts with the Government.

Mr. STAFFORD. For the time being I shall have to object.

Mr. STRONG of Kansas. Will the gentleman withhold for a moment?

Mr. STAFFORD. Yes.

Mr. STRONG of Kansas. When the Government let the contract they specified what the freight rate would be.

Mr. GOLDSBOROUGH. Yes.

Mr. STRONG of Kansas. Then they bid on that freight rate, and afterward the Government taking over the railroads raised the freight rate.

Mr. STAFFORD. There was nothing specified in the contract as to freight rates. It was the presumption that the freight rate might or might not remain. If the freight rate had been lowered, the contractor would have gotten the benefit of it.

Mr. STRONG of Kansas. This bill was passed in the last Congress and passed by the Senate, and simply through a mistake was not signed by the President.

Mr. STAFFORD. For the time being I object.

MAJ. LESTER L. LAMPERT

The Clerk called the next bill (H. R. 1483), for the relief of Maj. Lester L. Lampert.

Mr. COLLINS. Mr. Speaker, I reserve the right to object.

Mr. STRONG of Kansas. The War Department does not favorably recommend the payment of this bill, because they think that it should be in general legislation. The claim is for \$314.94 as the result of a hurricane at Texas City, Tex. The investigation board fixed the damage at the amount allowed by the committee.

Mr. COLLINS. Mr. Chairman, there are just 8,000 such cases as this, and we will have an avalanche of these bills filed if this is passed.

Mr. STRONG of Kansas. That may be true; I do not know. We thought the claim was just.

Mr. COLLINS. This was for personal property lost during the hurricane. These gentlemen ought to take out hurricane insurance, fire insurance, and other kinds of insurance just like other people do.

I will have to object to this.

Mr. BLANTON. Will the gentleman withhold his objection for a moment?

Mr. COLLINS. I reserve the objection.

Mr. BLANTON. I would like to ask my friend from Mississippi [Mr. COLLINS] this question: This bill embraces only \$314.19. The committee has passed on it and made a very favorable report. This particular officer is the son of our former friend and colleague who lost his life, Mr. Florian Lampert, of Wisconsin. He rendered here most valuable service to his country. I served with Mr. Lampert on a committee for years. I never saw a more faithful, conscientious man in my life.

He was hard working, honest, industrious, and painstaking. I differed with him on many subjects, but I found him a most delightful colleague. I hope my friend, in view of the fact that this is only \$314, and it has been carefully passed upon by this committee and approved, will hesitate before he objects.

Mr. COLLINS. Well, I have hesitated. I object, Mr. Speaker.

DR. PHILIP SURIANI

The Clerk read the next bill (H. R. 1693), to reimburse Dr. Philip Suriani.

Mr. COLLINS. Mr. Speaker, reserving the right to object, this is for a dental bill that a military attaché owes in Rome. I think the gentleman ought to pay his dental bills instead of asking Congress to pay them.

Mr. STRONG of Kansas. The gentleman was not under obligation to pay the bill. In the service those bills are paid. We had no dentist there. He was in serious difficulty, and they sent him to this dentist, and it is for the Government to pay it if it is paid at all. It is a question of whether our Government wants to turn down this application.

Mr. STAFFORD. Will the gentleman yield?

Mr. COLLINS. I yield.

Mr. STAFFORD. Do I understand that it is the policy of the Government to reimburse our ambassadors, our ministers, and our consular officers and our attachés for having their teeth crowned or having them plugged and the like, having shop teeth put in instead of their own teeth?

Mr. STRONG of Kansas. No. This is an Army officer. He was not in the Diplomatic Service at all.

Mr. STAFFORD. I understand he was a military attaché. Mr. STRONG of Kansas. He was an officer during the war.

Mr. STAFFORD. But the gentleman understands what a military attaché is, I hope.

Mr. STRONG of Kansas. Certainly.

Mr. STAFFORD. They are the adornment of the Army attached to our Diplomatic Corps.

Mr. STRONG of Kansas. However, they are attached under orders.

Mr. STAFFORD. If any little ailment affects them or their teeth are affected in any way, then they are privileged to go to some private doctor and run up a bill against the Government.

Mr. STRONG of Kansas. When there is no military doctor there, that is the custom.

Mr. BLANTON. Will the gentleman yield?

Mr. STRONG of Kansas. I yield.

Mr. BLANTON. Suppose we establish this precedent—how would we turn down any such proposition where an employee of the Government happened to go to a doctor or a dentist abroad somewhere?

Mr. STRONG of Kansas. If the Army had a dentist there he would have received attention.

Mr. BLANTON. This was an attaché and not an Army officer.

Mr. STRONG of Kansas. Oh, yes, he was.

Mr. STAFFORD. Followed to the logical extreme, we would have to pay a veterinarian for looking after the mount of these military attachés. If a horse had a little colic we would have to pay the veterinary for attending the horse.

Mr. COLLINS. Mr. Speaker, I object.

W. J. SHIRLEY

The Clerk called the next bill (H. R. 2305), for the relief of W. J. Shirley.

Mr. COLLINS. Mr. Speaker, I object.

DR. W. H. PARSONS

The Clerk called the next bill (H. R. 3863), for the relief of Dr. W. H. Parsons.

Mr. BLANTON. Mr. Speaker, I object because the department disapproves of it.

Mr. NELSON of Maine. Will the gentleman withhold his objection for a moment?

Mr. BLANTON. Certainly; I reserve the objection.

Mr. NELSON of Maine. My colleague, the gentleman from Maine [Mr. WHITE], is interested in this measure, and he was unable to be present on account of indisposition. May we have the bill passed without prejudice until the gentleman can be here?

The SPEAKER pro tempore. That is what will happen in any event.

Mr. PEAVEY. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from Wisconsin.

Mr. PEAVEY. Is the gentleman aware that this bill passed at the last Congress?

Mr. BLANTON. But the War Department says it should not pass, and I am going by the gentleman's War Department; his administration's War Department.

Mr. PEAVEY. I do not think the gentleman can accuse me of any degree of ownership of the War Department.

Mr. BLANTON. Well, the Republican administration War Department.

Mr. BACHMANN. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. BACHMANN. Is that the only objection the gentleman has to this bill?

Mr. BLANTON. Well, I am going by the gentleman's War Department.

Mr. BACHMANN. But the gentleman will admit there is some other meritorious objection to this bill than that.

Mr. BLANTON. But I am just mentioning one good reason, which is sufficient. I object, Mr. Speaker.

THOMAS G. WRIGHT

The Clerk called the next bill (H. R. 4149), for the relief of the heirs of Thomas G. Wright.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

MARY L. DICKSON

The Clerk called the next bill (H. R. 5470), for the relief of Mary L. Dickson.

Mr. BACHMANN. Mr. Speaker, reserving the right to object, I want to ask how long the young lady for whom this claim is made was employed in the hospital as a nurse.

Mr. HOCH. I can not tell the length of time, but I have here an affidavit from the head nurse at Fort Riley about the case.

Mr. BACHMANN. As I read the report, I think she was only employed for about six or seven days. Is that correct?

Mr. HOCH. Let me read what the head nurse says:

I met Elizabeth Dickson, registered nurse, at base hospital, Fort Riley, Kans., on or about October 7, 1918. She came to Fort Riley from Topeka, Kans., in answer to the call sent out by Colonel Frick, commanding officer of said hospital, for help to battle the terrible influenza epidemic. I talked to Miss Dickson. She told me she had repeatedly tried to enter the Army Nurse Corps, but was refused on account of the condition of her eyes, and seemed very happy to be able to help in this way.

Mr. BACHMANN. The thing that is bothering me is that the bill provides for the payment of \$20 monthly to her mother, and as I read the report she was employed on October 7, 1918, and died October 14 of the same year, so it would seem she was only employed at the hospital for a few days.

Mr. STRONG of Kansas. But she gave her life.

Mr. HOCH. I was reading to the gentleman what the head nurse has to say about her work in the hospital. She says:

She was a tireless worker, an efficient nurse, and a very high type of young womanhood, and with the other nurses worked long after her usual hours of duty. She contracted influenza, from which she died October 14. One of the nurses who worked in the ward with her told me of her efforts to save the life of a colored soldier, a desperate case of pneumonia. The soldier recovered, but Miss Dickson gave her life to the cause.

Mr. BACHMANN. The gentleman is satisfied that she contracted pneumonia while in the performance of her duties?

Mr. HOCH. There is no doubt about that.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I know the gentleman will have no objection to the incorporation of an amendment providing that the \$20 is to date from the enactment of this act.

Mr. HOCH. That was the intention, and I have no objection to such an amendment.

Mr. STAFFORD. I may say to the Members of the House that as to all bills passed in the last Congress, providing for the giving of benefits under the workmen's compensation act, it was the intention of Congress that the effective date should be from the enactment of the act. The CONGRESSIONAL RECORD shows that the chairman of the Committee on Claims stated that the effective date was to be from the date of the enactment of the act, but the Comptroller General dated it back to the time of the accident, an outrageous decision in view of the express declaration on the floor of the House that it should date from the date of the passage of the act.

Mr. BLANTON. Mr. Speaker, reserving the right to object, under the law and regulations of the Veterans' Bureau and of the Pension Bureau, even if a man served valiantly in France as a soldier, it is necessary, before his parents shall receive a pension, to show dependency.

Mr. HOCH. That was shown in this case.

Mr. BLANTON. There is nothing in this report which shows that fact. It is merely shown that they have little property and are advanced in age. What is considered little property by some is a large amount to others. For instance, some people have \$100,000 and say they are poor, while others who have \$100,000,000 merely say they are well off. There should be a showing here of dependency. I am in sympathy with the bill, but this woman was not really a

nurse in the usual sense of the word. She was employed as a civilian, but she did nurse duty, and I am willing to put her in the status of a nurse. However, there should be a showing that the parents are dependent.

Mr. HOCH. This bill passed in the last Congress, and at that time the father and mother were living. However, the father has since died, and a showing was made to the committee of the dependency of this mother. I have a letter from a banker there who knows the circumstances, saying absolutely that she is dependent.

Mr. BLANTON. Under that showing I shall not object.

There being no objection, the bill was read, as follows.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$20 monthly to Mary L. Dickson, mother of Elizabeth Dickson, on account of the death of the said Elizabeth Dickson while serving as a nurse in the base hospital at Fort Riley, Kans., during the World War.

Mr. STAFFORD. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: In line 6, after the word "monthly," insert "after the date of the enactment of this act."

The amendment was agreed to.

Mr. BACHMANN. Mr. Speaker, I offer an amendment. At the beginning of line 7, before the word "on," insert "in full settlement of all claims."

The SPEAKER pro tempore. The gentleman from West Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BACHMANN: In line 7, before the word "on," insert "in full settlement of all claims."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

MACK COPPER CO.

The Clerk called the next bill (H. R. 6175), for the relief of the Mack Copper Co., a corporation.

Mr. BLANTON. Mr. Speaker, I object.

Mr. UNDERHILL. Will the gentleman withhold his objection a moment?

Mr. BLANTON. This bill would take \$268,500 out of the Treasury of the United States, and is an unjust bill, and I must object.

Mr. UNDERHILL. I have a purpose in asking the gentleman to withhold his objection a moment.

Mr. BLANTON. Certainly, I will withhold it to permit my friend to speak, but I intend to object. This \$268,500 must not be taken out of the people's Treasury by such an unjust bill.

Mr. SCHAFER of Wisconsin. Reserving the right to object, this is the most objectionable bill I have ever seen on the calendar.

Mr. UNDERHILL. Will the gentleman withhold his objection a moment?

Mr. SCHAFER of Wisconsin. Yes.

Mr. UNDERHILL. Mr. Speaker, a year ago, or at the last session of Congress, I dubbed this bill as being a crime against the people of the United States. At that time I said that the Mack Copper Co. ought to be punished.

There ought to be some way whereby, when a committee makes an unfavorable report to this House, such report could be placed on record. This resolution was presented several years ago to the Committee on Claims. The Committee on Claims went into the matter very, very extensively. At the next session of Congress the same bill was introduced and it was referred to the Committee on War Claims and reported out favorably.

Mr. Speaker, I prepared at the time the bill appeared before the Committee on Claims a rather extensive brief covering every feature of this attempted fraud against the Government, as shown by this statement. For the benefit of the future and for the information of Congresses which

may come afterward, I want to file this brief in my objection to the consideration of this bill.

I ask unanimous consent to extend my remarks by including this statement prepared by myself.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent to extend his remarks by incorporating therein a brief with respect to the bill under consideration. Is there objection?

There was no objection.

The matter referred to follows:

Memorandum.

The special bill for the relief of the Mack Copper Co., as compensation for waste to its land by the Government while under lease and used as Camp Kearney, near San Diego, Calif., recalls certain facts with reference to the transaction that may be worthy of note in addition to the adverse report of the Judge Advocate General quoted in the committee report recommending favorable action on the bill. The situation as disclosed by the Judge Advocate General is not only correct as far as it goes but it may be said to involve other matters that justify the terse description of the merits of the case used by me in objecting to favorable consideration by the House.

By telegram of May 21, 1917, Major Wilde and a number of local interests, apparently representing the Chamber of Commerce of the City of San Diego, offered the Camp Kearney property to the Government with all improvements for a term of five years free of rent. The offer was accepted May 24, 1917, and the property was thereafter improved and a camp constructed thereon and used during the war by the War Department. A small area of about 320 acres was turned over to the Public Health Service for use as a veterans' hospital, which was later turned over to the Veterans' Bureau and used by it until the reported ejectment therefrom by the Mack Copper Co., owner of the land. The president of the Mack Copper Co. gave a lease to one Belcher providing for nominal rent of \$1 as consideration, the purpose being to incorporate the property of the Mack Copper Co. with that offered by local interests in order to tender the Government ample acreage for camp purposes.

The property was subsequently leased by the lessee to the Government for the same consideration and was occupied by the Government on that basis, the whole purpose being to center into one hand the power to turn the property over to the Government and to make the terms so attractive that the Government in dealing with the one individual would be influenced in locating a camp on the property in question for the benefit of the community, including the city of San Diego and the several interests desiring to dispose of their property at attractive prices.

It appeared that if the Government could be persuaded to locate and construct vast improvements on the property much would be accomplished toward the ultimate sale thereof and to the permanent establishment of a camp. The nominal consideration given in the lease on the Mack property was not material, the prime consideration being to cause the investment of such sums and the construction of such improvements, etc., as would practically force the Government to take the property as a matter of economy, the ultimate benefits to the individuals and the community greatly outweighing any losses that would be suffered in the meantime. It does not appear that anyone in interest questioned the right of the president of the Mack Copper Co. to make the lease until it was ascertained that the scheme was about to fall through without more than the temporary establishment of the camp and the emoluments flowing to the locality during the war.

The first efforts were apparently directed at the Government after action had been taken to dispose of all of the camp improvements, etc., except those on the 320-acre tract, to force retention thereof as a Government hospital. Several attempts made by the Veterans' Bureau to move patients therefrom to other property, while apparently favored by local interests, were, nevertheless, actively opposed through publications of local interests reported to have been allied with the property owners. In other words, the owners who apparently wished to eject the Government were alleged to be in a conspiracy with others to bring about such public prejudice as to force the retention of the hospital. It is stated that but for the opposition the Veterans' Bureau would have removed the patients and the property would have been surrendered to the owners before the expiration of the 5-year lease period.

The lease, dated June 1, 1922, given by the Veterans' Bureau, was not executed until June 15, the date on which a check issued for \$35,000, being rental for the property for the two weeks' period in June, the rent for the ensuing year to be at a very much lower rate. The new lease was made for the property for the fiscal year 1924 at an annual rental of \$20,000.

It should be pointed out that all of the improvements on the 320-acre tract so leased had been placed thereon by the Government, and the reality had been greatly improved in so doing. There had been no waste to what was otherwise land of little value, incapable of being used for any productive purpose prior to the improvements made by the Government. At the time of the taking the land was probably worth about \$15 per acre and the rental paid thereafter greatly exceeded the total reality value. As to the other camp property, it had also been improved by the War Department, and while the improvements were removed therefrom, the property was left in much better condition than it was when taken. All of this tract was of little value. Some

mining had been done thereon but apparently without financial success.

Some spots had been irrigated, but the tract generally could not be irrigated from any local source of water other than wells, which would have cost at the rate of \$75 per acre. In other words, the project from the irrigation standpoint was not considered feasible, and the soil was so destitute of plant nutrition that productivity was not considered sufficient to compensate for the cost of any agricultural project. While the territory would subsist a few cattle, there was no evidence of sufficient supply of water to support a herd required to make the enterprise a success from a grazing standpoint.

The Mack Copper Co. has received about \$80,000 rent for the small acreage occupied by the hospital and has received \$220,000 as damages caused by the War Department in constructing and evacuating the camp. These sums exceed the original purchase price and the estimated present value of the property. Indeed, it is believed that the mortgage left on the property at the time of purchase represented the true consideration because the consensus of opinion was that the assessed value of \$15 per acre was about all the property was worth. Whether or not there was any understanding between the seller and the Mack Copper Co. as to the disposition of profits can only be left to conjecture, but it may be noted as an odd circumstance that the mortgage or deed of trust on the property was merely supported by the same authority as was evidenced in the lease to Belcher; that is to say, the lien given back to secure the purchase price was signed by the president of the Mack Copper Co. without any authority from the board of directors.

In addition to the payment of \$35,000 for two weeks' rent, the subsequent annual rental was also grossly exorbitant, and an examination of the findings of fact before the Court of Claims will show that same were not contested by the Government and were accepted as reported by the commissioner, thus leaving the court to arrive at its judgment from erroneous statements of fact. The Government apparently rested upon the question of law and upon failing in that respect, the facts having been accepted, was in no position to contest the facts in mitigation of the amount for which judgment was rendered. Had the court known all of the conditions, doubtless it would have decided as it did on the law but would have found that the owners had been fully compensated for all damages, the \$35,000 illegal payment being a basis for set-off.

It is reported that the Government's side of the case was not handled impartially by the commissioner, and it would seem certain that the findings of fact by the commissioner were based upon the testimony of interested persons. The fact that the Government rested on the law without contesting the findings of fact tends to corroborate the report as to the manner in which the hearings were conducted.

It would be interesting to see the report on the matter made to the Veterans' Bureau by Major Grant, at one time in charge at San Diego and at San Francisco, who is reported to be an irrigation engineer of some standing and considerable experience with properties of the character here in question. Major Grant could probably give the names of representatives of the American Legion and others whose efforts to bring about justice in this matter were futile and whose attempts to move constituted authority to act in the premises were rebuffed at every turn.

Little harm has been done so far, but the findings of the court that it will take \$500 per acre to restore certain of the acreage classed by the court as waste that could not be compensated and on which the proposed legislation is based presents a situation that calls for public resentment. In the findings the court shows that none of the property was worth more than \$200 per acre, and yet concludes that the owners may be entitled to \$500 per acre as damages for waste. The Judge Advocate General correctly states the law that no more may be allowed for waste, damage, or destruction of property than the established value of that property. In other words, the trespasser can not be charged more than the total value of the property trespassed, and ordinarily upon payment of such value would be permitted to take the residue. In this case it is not proposed to give the Government anything, but it must pay \$250, or the maximum value of the property, because it dared to commit waste.

As a matter of fact the property so damaged was of no market value, the result being that the Government is to suffer a penalty if the facts are to prevail. The bill proposes to charge the Government with a little less than one-half of the reported cost of the waste possibly upon the theory that since the owners are to reopen the land the Government should not pay more than one-half of its value. Whether or not the Mack Copper Co. venture has been profitable to date is a question that can be determined only from the facts as to whether or not it paid too much for the property in the first place and whether or not the amounts paid to it had been apportioned among several interests. The venture has certainly been a costly one to the United States, it having paid to date sums greatly in excess of the value of the entire tract and it is now proposed to double the amount paid, in which event there will be no question but what the enterprise will have been a success for the Mack interests, who had nothing to lose when they offered the property that was producing no revenue upon a gambler's chance that the influence that could be brought to bear would force the Government to pay a handsome price for the property. Failing in that they have succeeded in cashing in at a handsome price on a nominal stake that was to be a loss.

Mr. BLANTON. Will the gentleman yield?

Mr. UNDERHILL. I yield.

Mr. BLANTON. What is the gentleman and his steering committee going to do about the practice which is growing up here that where a bad bill is referred to one committee and that committee turns it down, they then immediately have the bill referred to another committee and get a favorable report, sometimes unanimously?

Mr. UNDERHILL. Mr. Speaker, that rests entirely with the membership of the House. These bills can be referred to various committees, and if a Member comes in with a bill and asks that it be referred to War Claims, it can be referred to War Claims. If he asks that it be referred to Claims, it is referred to Claims.

I wish that when one committee has given much time and much study to a bill of this character and of this size and has reported adversely upon the measure, unanimously, there could be some way whereby that report would be filed for future reference or information of some other committee that may not have the information that the original committee had.

Mr. STRONG of Kansas. Mr. Speaker, I just want to say that the War Claims Committee had no knowledge that the bill had ever been before the Claims Committee. It is a War Claims Committee bill and should not have gone to the Claims Committee and they should not have taken jurisdiction or acted upon it.

Mr. BLANTON. Mr. Speaker, this bill seeks to take from the Treasury \$268,500, and the bill is unjust and should not be passed, hence I object.

CARTERET STREET METHODIST EPISCOPAL CHURCH SOUTH, OF
BEAUFORT, S. C.

The Clerk called the next bill, H. R. 6670, for the relief of Carteret Street Methodist Episcopal Church South, of Beaufort, S. C.

Mr. BACHMANN. Mr. Speaker, I object.

Mr. HARE. Will the gentleman withhold his objection?

Mr. BACHMANN. I will.

Mr. HARE. I would like to have about three or four minutes of the gentleman's valuable time to discuss the merits of this bill. I would like to go over the evidence in the case just for a minute.

This bill is for payment for the alienation of a Methodist church that took place more than 60 years ago.

Mr. BACHMANN. Is it alienation or confiscation?

Mr. HARE. Alienation. I am glad the gentleman has asked that question, because it proves conclusively he has not gone thoroughly into the evidence.

In 1861 the Union Army, during the Civil War, captured the little town of Beaufort, S. C.

Mr. UNDERHILL. Will the gentleman yield?

Mr. HARE. Yes; with pleasure.

Mr. UNDERHILL. The whole history of Sherman's march to the sea was put in the RECORD in the other branch last year with reference to this same bill, consisting of some forty-odd pages.

Mr. HARE. Oh, the gentleman is entirely off the track.

Mr. UNDERHILL. Will the gentleman answer this question?

Mr. HARE. Yes.

Mr. UNDERHILL. Who owned the church in 1861?

Mr. HARE. The Methodist Church South.

Mr. UNDERHILL. In whose favor is this resolution?

Mr. HARE. The same Methodist Church.

Mr. UNDERHILL. But a different organization?

Mr. HARE. No; the same organization.

Mr. UNDERHILL. The Methodist Church South turned their property over to the present owners or holders of this church property?

Mr. HARE. No; if the gentleman will let me explain, I think I can do it satisfactorily. I hope the gentleman is sincere.

The testimony that the gentleman refers to was not with respect to this church. The testimony he refers to was a church that was burned by Sherman's army in 1863 or 1864. This church was not captured by Sherman's army. This church was captured in the early part of the war—in 1861—and was taken possession of by the Union Army.

Now, in 1861, if the gentleman will read the letter in the latter part of the report, he will see that L. M. Dunton came from the State of New York and was sent as a missionary and was given charge of this church. At the time he had such charge of it they had turned it over to the colored minister, and he stayed there until the close of the war in 1865. The military organizations remained in this county until 1876. They were not withdrawn at the close of the war. This entire territory was governed and directed by military functionaries and military garrisons for 10 years following the war.

After the soldiers were withdrawn in 1877 the colored people had had charge of the church for 15 years. It had been placed in their hands by the Government, by the Army. They probably felt that they had a right to it.

They then said, in effect, "the Federal Government gave us this church 15 years ago. It is ours, and you can not take it away from us."

Under the law, the statute of limitations, adverse possession had run and the property could not be regained.

Here is the point: First the church was constructed by a fully organized Christian organization. It was turned over to third parties and kept in their possession for 15 years. The party of the first part was deprived of its property contrary to the rules and regulations of civilized warfare. If that be true, this Methodist Church congregation had the right to recover damages from some department of the Government.

I introduced this bill, and it went to the War Claims Committee. It was gone into fairly and it was passed by the House two years ago without objection and without opposition.

Mr. UNDERHILL. Oh, no.

Mr. HARE. Oh, yes. If I did not know what I was talking about, I would not make a public statement of that kind. It has passed the House on the Private Calendar without objection. It went to the Senate, and it never was acted upon one way or the other.

Mr. UNDERHILL. The gentleman speaks about Mr. Dunton. He was a native of New York and not of Massachusetts. He—Dunton—said he went to Beaufort in 1873. He also says that the Carteret Street Methodist Church during the first years of the Civil War was a white church, and that when he took the pastorage there in 1873 it was a colored church.

I do not care anything about whether it was white or colored. That is not the idea. The Committee on War Claims—and I commend them most heartily for it—ever since I have been in Congress have followed the policy of turning down without consideration these old claims that reach back to the Civil War. All the claimants injured at that time apparently are dead.

They turned down hundreds of claims for the burning of cotton, the loss of cattle, for the loss of horses. Anyone in the South at that time who had some property and the Army came along and confiscated it or destroyed it began to make claim that they were loyal to the Federal Government and put in a claim. Since that time there have been scores of claims lawyers in the city of Washington whose sole business it is to dig up the records, find old claims, and bring them up with the expectation of getting a possible fee of one-half or two-thirds, or sometimes the whole.

I think we better return to the old policy of the Committee on War Claims and the Committee on Claims, not to hear these antediluvian claims, where you can only get statements of people indirectly interested through the line of succession reaching back three or four generations, and where, in the last analysis, the claims lawyers in the city of Washington get all the cream of the claim.

The SPEAKER pro tempore. Is there objection?

Mr. UNDERHILL. Mr. Speaker, I object.

ST. LUDGERS CATHOLIC CHURCH, OF GERMANTOWN, MO.

The Clerk called the next bill (H. R. 2695), for the relief of St. Ludgers Catholic Church, of Germantown, Henry County, Mo.

Mr. STAFFORD. Mr. Speaker, I object.

Mr. HOOPER. Mr. Speaker, will the gentleman withhold that for a moment?

Mr. STAFFORD. Yes.

Mr. HOOPER. Mr. Speaker, I want to say something about what has just been said by the gentleman from Massachusetts [Mr. UNDERHILL], and I am going to be brief about it. I have something I want to say, and if I do not get the opportunity I shall object to all of the bills on the calendar. The gentleman from Massachusetts [Mr. UNDERHILL] has just arraigned the War Claims Committee for their action in the last year or two as to certain Civil War claims. I presume I am as much responsible as any person on the committee for the fact that claims of this character have been considered.

First, the gentleman from Wisconsin [Mr. STAFFORD]—and I am not blaming him for that; he is a very useful Member of the House—announced in the last session of Congress that he was going to object to all Civil War bills, and so I am not anticipating anything from these bills which have gone over since the last session of Congress. When I became a member of this committee I had presented to my attention some very appealing claims, as I considered them, dating back, yes, as far as the Civil War time and some much farther. There was quite a general feeling among a number of the members of the committee, at that time at least, that a claim against the United States Government, if it was an honest claim, if for one reason or another it had failed of passage in Congress, if for one reason or another people had not received what was due them, no matter if it was old, ought to have consideration and attention. [Applause.] It is not the policy of the War Claims Committee from now on, I think I can say to the House here to-night, to pass Civil War claims, because we have found that it is perfectly futile.

I am not blaming any person for this, but on many occasions the members of this committee, simply wanting to do justice, not wanting to pay money for stale claims, but thinking that there really was a valid claim, have given days and sometimes weeks of good hard work in determining these matters. I do not think we ought to be blamed if once in a while we bring out some claim stale enough, so far as years are concerned, but which has real absolute merit. There is no use, however, of pursuing this course in the future because these bills will be objected to, but I say to you that a just claim against the Government ought to be paid. [Applause.] If it is not paid, whether it is stale or not, whether it goes back to the American Revolution, there is somebody who is going to hold deep down in his heart a strong resentment against the Government.

People talk of educating our people against Bolshevism and communism. It is a trite saying, and it has been said more than once here, but I earnestly believe that there is nothing that brings a government into such evil odor and ill repute as justice long deferred. Justice long deferred, someone has said, maketh the heart grow sick, and it has made the heart of many people in this country grow sick in the past when year after year their claims have not been paid because of the failure of the United States Government to keep its straightforward obligations to its people.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. HOOPER. Yes.

Mr. BLANTON. I think it is very unfortunate, indeed, that this particular class of bills is ever introduced. While my friend is not partisan on such bills, they just engender partisan debate that creates bad feeling among colleagues across the aisle, and from now on I do not intend ever to introduce such a bill, and I shall try to keep the people in my district from making such claims.

Mr. HOOPER. There is no partisanship in the War Claims Committee. A large proportion of the members of the War Claims Committee are now Republicans, and a large part of them are northern men, but I tell you that we have been as anxious to do justice to the gentleman's people in the Southland as we could possibly be to do justice to the people in our own section of the country.

Mr. BLANTON. The gentleman will remember that just such a bill and a speech from one of our southern Members in support of it caused one of the best friends I ever had across the aisle to make a statement which caused some Members then in the gallery almost to jump over those banisters in natural resentment.

Mr. HOOPER. I do not care what he did, but, just as I believe the gentleman is, I am American enough so that I believe that the people of Florida and Georgia and Alabama are just as much my concern as are the people of Michigan. [Applause.]

Mr. BLANTON. I know the gentleman feels that way, and I admire him greatly for it.

Mr. COCHRAN of Missouri. Is it not a fact that in the last omnibus claims bill passed by the Congress, I think in 1915, a paragraph was added relieving the Court of Claims of jurisdiction of any claims growing out of the War of the Rebellion, and that there is no place for these claimants to come except to the Congress and to the War Claims Committee?

Mr. HOOPER. I think the gentleman is correct. I want to make this one more statement:

I am not here to-night criticizing the gentleman from Wisconsin, the gentleman from Texas, or anyone else. I concede to them the right to have their individual opinions about these matters.

In so far as the two gentlemen are concerned, I know they are both very useful and very hard-working Members of this House; but I say, as the last contribution to this subject that I will ever make in this House—and I have spoken on this matter once of twice before—I do not want the War Claims Committee to get into evil repute with this House.

I do not want the time to come when this committee or any other committee, for that matter, has the distrust of the membership of the House; but let me say that it is not the way to handle claims of this kind, to handle them before committees of the House or before the House. We can not be a judicial body. We are many men of many minds, coming from all parts of the country, having different ideas of economy, having different ideas about doing justice; some of us, perhaps, are imbued with sectional prejudices, although I hope not many of us. That time ought long ago to have gone by; but if justice is to be done to the humble claimant, as well as all others, Congress is going eventually to devise a system whereby these claims may be judicially passed upon. They can not be judicially passed upon here with a hundred or a half hundred men sitting here, most of them not knowing anything about the facts in the case. You can not do it judicially. They ought to be passed upon judicially. You may have small courts of some kind organized for that purpose.

The gentleman from Massachusetts [Mr. UNDERHILL] offered a very useful bill at one time upon that question, and some time this House and Congress are going to devise and carry through a policy in which the House can go on and legislate on large national matters. This is not legislation. It is carrying out a work that ought to be the work of judges or of juries.

Mr. UNDERHILL. Will the gentleman yield?

Mr. HOOPER. I yield.

Mr. UNDERHILL. The gentleman has referred to my efforts to change or revolutionize the system of handling these claims. I think the Members will recollect that my efforts, extending over a period of 10 years, have materially changed the method of settling claims.

In 1921 or 1922 the so-called Underhill small claims bill was passed, and that has taken out of the jurisdiction of Congress something like 1,200 or 1,500 bills a year. They are all small bills, less than \$1,000. Twice this House has passed what is known as the Underhill claims bill. Twice it has gone elsewhere and twice a species of patronage has been so strong as to defeat the proposition.

I am not criticizing the Committee on War Claims. I tried to pay them a compliment, and I am the last man in this House, being a native son of Virginia—

Mr. HOOPER. We thought the gentleman came from Massachusetts.

Mr. UNDERHILL. I am the last man in this House who would raise a question of partisanship or of sectionalism. I simply want a policy established in the Congress, particularly in this House, whereby everyone may be treated alike. I think when you choose one or two bills and report them favorably and turn down a score of other bills perhaps of equal merit, and you go back for so many years that you can not get the exact facts, you are making a mistake. What has come to my attention repeatedly in the last 10 years is the fact that there are many men in the city of Washington who are using their professional positions in order to chisel something out of the Government. That is the difficulty in taking up these old claims and trying to put them through Congress.

Mr. HOOPER. The gentleman's speech has gotten snarled up with mine, and my time has about expired.

I want to reiterate in conclusion what I have said already that I am not unduly criticizing any person. I realize the difficulties with which we are confronted when we try to grapple with thousands and thousands of claims against this Government. I appreciate the work that other men are doing in the studying of these claims, but if this Nation is to bring about the one thing that a nation is made for, the doing of equal and exact justice between man and man and man and the Government, the time must come when we will handle these claims so that every man will feel he has had his day in court, not where he may be subject to captious criticism, or too little study of the case before him, but where a court may act judicially, whereas we so often act injudicially. [Applause.]

Mr. BLANTON. Will the gentleman yield for one further question to keep the record straight?

Mr. HOOPER. I yield.

Mr. BLANTON. May I ask the gentleman from Massachusetts [Mr. UNDERHILL] if his main Underhill claims bill did not die with a pocket veto?

Mr. UNDERHILL. The history of that might as well be gone into now as at any time.

Mr. HARE. Mr. Speaker, I do not think so. Regular order, Mr. Speaker.

Mr. STAFFORD. I think it is only fair, in view of the castigation that has been leveled by the gentleman from Michigan, that the gentleman from Massachusetts be allowed to reply.

The SPEAKER pro tempore. Regular order has been demanded.

Mr. STAFFORD. If they are not going to be fair and give me an opportunity to speak, I object.

Mr. HOOPER. Mr. Speaker, I ask unanimous consent to speak out of order for one minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. HOOPER]?

Mr. STAFFORD. Oh, Mr. Speaker, the gentleman has had 10 minutes. I refuse his courteous contribution of one minute. I object.

JOSEPH G. GRISSOM

The Clerk called the next bill (H. R. 3005), to carry out the findings of the Court of Claims in the case of Joseph G. Grissom.

Mr. COLLINS. Mr. Speaker, reserving the right to object, this is to pay Mr. Grissom for twelve and a half months pay as a second lieutenant, and the War Department report indicates that this man was not a second lieutenant, but a private.

Mr. HOOPER. Permit me to say to the gentleman that the report of the War Department in this case indicates that the matter was peculiarly complicated, as far as this man's compensation was concerned. There is no question about that. It was a complicated and peculiar situation, but the man appears to have been acting in the capacity of a second lieutenant, and if that is true, he would be entitled to the pay.

May I take the gentleman's time for just a moment?

Mr. COLLINS. Yes.

Mr. HOOPER. I want to say to gentlemen of the House that when the gentleman from Wisconsin accuses me of castigating him in the remarks I made here he is doing both himself and me an injustice. I believe I paid a tribute to the real usefulness of the gentleman from Wisconsin, who is one of the hardest workers in this House. It is true that a year ago, when some of these matters came up, I had what we sometimes call on the street a "run-in" with the gentleman from Wisconsin, which I have regretted since that time. I did not know him at that time. As the gentleman was consuming about nine-tenths of the time of the House I considered he was taking too much time, but now if he consumes nineteen-twentieths of the time, I would still think that the gentleman is a very capable and very high-grade Congressman, and that what he does here is dictated by the very best wishes, the very best ideals, and the very best desire to serve.

I think it is true, however, that the gentleman from Wisconsin at times must have to go hastily over 10 or 15 of these cases, where there are 1,000 pages or 500 pages of testimony in each of them and that it must be difficult for him at times to follow all of the great legislation of the House and what is going on throughout the country, as well as reading such detailed evidence. But he is a useful man and he is a useful Congressman. I did not mean to castigate him. If he feels he has been castigated I withdraw whatever remarks he feels tended in that direction, and if he goes ahead and objects to these bills I will be just as friendly with him tomorrow as I am now.

Mr. STAFFORD. Will the gentleman yield?

Mr. COLLINS. Yes.

Mr. STAFFORD. I may say that the word "castigating" was rather strong language.

Mr. HOOPER. The gentleman used it in a Pickwickian sense. [Laughter.]

Mr. STAFFORD. No, no. On the floor of the House I rarely indulge in Pickwickian humor. But I wish to say, as a basis for my objection to these old war claims, that the Committee on War Claims, under the leadership of Mr. BERTRAND SNEEL, now chairman of the Committee on Rules, more than 12 years ago adopted the rule that they would not consider any of these old hoary claims. If they had wanted to do so, they could have gone to a consideration of the French spoliation claims. I recall in 1911 one of the greatest filibusters ever waged in this House, under the leadership of James R. Mann, a filibuster which ran for 48 hours against an attempt to put through the old French spoliation claims. There may be some claim attorneys on the outside who favor the resurrection of these claims, but I say that some time or other Congress must stop in its consideration of these stale claims, and when the Committee on War Claims 12 years ago made that their rule—and only changed it in the present Congress—I think that old policy should be adhered to, and that is the basis for my objection.

Mr. COLLINS. Mr. Speaker, reserving the right to object—

Mr. MANLOVE. This happens to be a bill I have introduced, and although it may appear like an old claim to the membership of the House—

Mr. COLLINS. That is not my objection to it. My objection to it is—

Mr. MANLOVE. May I say it is a new claim as far as these good old people are concerned, because they have been carrying in their hearts all these years the hope—

Mr. COLLINS. That is not what I am trying to ascertain.

Mr. MANLOVE. The matter was referred to the Court of Claims and a favorable decision was rendered. The report was made to the Treasury Department instead of to the War Department, and that is the reason the War Department is not in the position to submit a favorable report, but the War Department has not made an unfavorable report.

Mr. COLLINS. The only question I want the gentleman to answer is whether or not this man was a private, as the record indicates, or was he a second lieutenant? The War

Department says he was a private, and yet the gentleman is asking this Congress to say by legislative enactment that he was a second lieutenant when the records of the War Department show that he was a private.

Mr. MANLOVE. I do not know that they say that, but, anyway, the question was submitted to the Court of Claims; evidence was presented in the Court of Claims and the finding was that he was acting as lieutenant in the absence, as my recollection serves me, of the officer in command, and that during that time he was serving in the capacity of lieutenant and captain, and was mustered out as captain.

Mr. COLLINS. Can the gentleman show me where that appears in this report?

Mr. MANLOVE. I am sorry it does not appear in the report which is rather short, but my friend, the gentleman from Michigan [Mr. HOOPER], had this bill in charge and I am sure he will verify my statement.

Mr. HOOPER. I think the statement of the gentleman is accurate, as I understand it, I will say to the gentleman from Mississippi.

Mr. MANLOVE. We read the report of the Court of Claims before the committee and it was not passed over lightly, but was discussed. My friend the gentleman from South Carolina [Mr. HARE] I remember, went into it.

Mr. COLLINS. Does the gentleman from Michigan [Mr. HOOPER] tell me that the Court of Claims has held that this man at that time was a second lieutenant?

Mr. HOOPER. I notice what is stated in the report here. I will say to the gentleman from Mississippi that until tonight I had not had a chance to examine the matter for some time. I notice the report says "nothing has been found of record in the War Department to show the findings of the Court of Claims in this case," but to the best of my recollection, without having the hearings on the case before me, we had testimony that convinced the committee that the matter had been adjudicated by the Court of Claims. I have not looked at the report since a year or so ago, but to the best of my recollection I would say that the matter had been determined judicially and a determination of facts made.

Mr. UNDERHILL. Will the gentleman yield?

Mr. HOOPER. Yes.

Mr. UNDERHILL. Did the committee ask for that report from the Committee on Claims?

Mr. HOOPER. I can not recall that at this time. I am giving you the best of my recollection about it.

Mr. COLLINS. If this man was a second lieutenant, why would not that knowledge be in the possession of the War Department? The War Department winds up its report by saying:

I hesitate to make any recommendation or comment on it further than to say that Mr. Grissom can not be recognized by this department under existing law as second lieutenant.

Mr. HOOPER. If the gentleman will allow me to reply to that very briefly, I understand the force of the question the gentleman has asked me and I understand the force of what is stated here. The gentleman will remember, however, that the Secretary of War does not commit himself absolutely upon that, and the gentleman will remember that these claims which we handle in the War Claims Committee are not legal claims. They are equitable claims; they are moral claims.

If there was a strictly legal claim here, it would appear of record that this man actually was a second lieutenant; his record would be before us and there would be no question about it here; but the War Claims Committee, the same as the Claims Committee to some extent, is a committee which deals with equity rather than with the rigid rules of the law, and it is when a moral claim rises out of a set of circumstances such as are detailed here, which we thought constituted a moral claim, that a person comes into the War Claims Committee to ask for relief. If it were a legal claim it would not be there. If it is a moral claim, or an equitable claim, it has a right to be there.

Mr. COLLINS. If the gentleman will tell me that the Court of Claims has held that this man was a second lieutenant at that time, then I have no objection.

Mr. HOOPER. I am telling the gentleman, as I did before, with no facts before me now, that it is my best recollection that in the proof we had it was shown that the Court of Claims had judicially determined that fact. I do not want to state a fact to which I could not swear here on the floor, but to the best of my recollection that is the situation.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. STRONG of Kansas. Mr. Speaker, as chairman of the War Claims Committee, I ask unanimous consent to address the House for three minutes.

The SPEAKER pro tempore. Without objection, the gentleman is recognized for three minutes.

Mr. STRONG of Kansas. I want to say to the Members of the House that I went upon the War Claims Committee 12 years ago. We had at that time a rule providing that no claim prior to the Spanish-American War should be favorably reported by that committee. We continued under that rule until the Seventieth Congress, when you had a field day here one day, when everybody abused the War Claims Committee because it was stated we would not consider just claims because they were old, claims growing out of the Civil War. This attracted the attention of some new members of my committee, and when the committee met they insisted upon considering Civil War claims.

I then appointed a chairman and a committee for the special purpose of going into Civil War claims, and they certainly have given a lot of time and service to such claims. At the end of that Congress they came in and said, "We have done our best, and the House has refused to pass the bills, and we ask to go back to the old rule," and the rule of our committee now is "that no claim prior to the Spanish-American War shall be reported favorably."

I want to say just one thing further: Every claim that comes out of the War Claims Committee first goes to a special committee that holds hearings and, after considering the facts, makes a report to the full committee, when full consideration is had before any bill is reported to this House. For several years the War Claims Committee has had referred to it by this House over \$200,000,000 in claims during each session of Congress, and the record shows that we have never reported favorably over 1 per cent of such claims in any session.

I therefore feel that I am justified in saying the Committee on War Claims is duly zealous in safeguarding the interests of the taxpayers of the country.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Joseph G. Grissom, widow of Joseph G. Grissom, late second lieutenant, Company H, One hundred and thirtieth Regiment Indiana Volunteer Infantry, \$1,208.19, being for 12½ months' extra pay proper of his grade in the volunteer service, due him at the time of his honorable discharge.

Mr. BACHMANN. Mr. Speaker, I offer an amendment. I notice the bill differs from the record in the report, the man's name being stated in the report as Joseph C. Grissom, while the bill carries the name Joseph G. Grissom. I offer an amendment to the title, where the name first appears, striking out the letter "G" and inserting in lieu thereof the letter "C"; and also throughout the bill the same amendment changing the letter "G" to the letter "C."

The SPEAKER pro tempore. Without objection, the bill is amended by substituting the letter "C" for the letter "G" in lines 5 and 6 of the bill, and also in the title.

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

The title was amended.

CAPT. ROGER H. YOUNG

The Clerk called the next bill (H. R. 8345), for the relief of Capt. Roger H. Young.

Mr. SCHAFER of Wisconsin. I object.

NEW YORK MARINE CO.

The Clerk called the next bill (H. R. 915), for the relief of the New York Marine Co.

Mr. UNDERHILL. Mr. Speaker, reserving the right to object, I would like to ask the chairman of the Committee on Claims how much the total claim is of the New York Marine Co.?

Mr. IRWIN. One thousand two hundred and sixteen dollars and one cent.

Mr. UNDERHILL. There is already legislation which would care for this up to \$1,000. Is it not the opinion of the gentleman that it would cost the Marine Co. over \$200 to take it to the Court of Claims, and cost the Government considerably over that to adjudicate the difference of \$200?

Mr. IRWIN. We did not take that into consideration.

Mr. UNDERHILL. Would the gentleman object to an amendment on page 2, line 3, after the word "United States," to insert the words "not to exceed \$1,250"?

Mr. IRWIN. I will accept that.

Mr. BLANTON. Did I understand the chairman of the committee to agree that there should be a limitation?

Mr. IRWIN. Yes.

Mr. BLANTON. You are going to submit it to the court and say that under no circumstances can they render judgment for more than \$1,216.01. Why not provide in the bill, without sending it to the admiralty court, allowing the amount that the department says should be paid, eleven hundred and some odd dollars? That would save at least \$1,000 in expenses to the Government.

Mr. UNDERHILL. I am willing to do that.

Mr. BLANTON. Then let us change the bill.

Mr. IRWIN. The gentleman from New York who introduced the original bill has introduced another bill, H. R. 9575, which does not send it to the Court of Claims.

Mr. BLANTON. Just let us substitute that bill and limit it to the \$1,182 which was found to be due.

Mr. IRWIN. Mr. Speaker, I ask that the bill H. R. 9575 be substituted for this bill.

Mr. UNDERHILL. For the information of the House, I will say that this bill, H. R. 9575, meets all the objections that could be offered against it.

Mr. BLANTON. And would save the Government thousands of dollars, because, besides saving expenses, the court of admiralty might allow a large sum.

Mr. SCHAFER of Wisconsin. Reserving the right to object, do I understand the Claims Committee has on file an admission by the Government of the liability on the part of the Government, which liability includes the amount of damages as provided in the substitute bill?

Mr. IRWIN. Yes; we have a report from the department to that effect.

Mr. SCHAFER of Wisconsin. Does the report from the department admit a liability on the part of the Government?

Mr. BLANTON. Yes; and they recommend that amount to be paid.

Mr. SCHAFER of Wisconsin. Do they make that direct recommendation or do they recommend that the bill first introduced providing for sending the case to the Court of Claims be passed?

Mr. BLANTON. No; they recommend \$1,182 be paid; our allowing such amount now, rather than send the bill to a court of admiralty, will save the Government thousands of dollars.

Mr. SCHAFER of Wisconsin. I will not object if you will accept an amendment providing a limit on attorney's fees.

Mr. UNDERHILL. There are no attorneys in it.

Mr. SCHAFER of Wisconsin. You never can tell.

The SPEAKER pro tempore. The Chair understands the Committee on Claims to prefer a unanimous-consent request. Will the gentleman state it?

Mr. IRWIN. I ask unanimous consent to substitute the bill H. R. 9575 for the bill H. R. 915.

Mr. BLANTON. That is the proper action to take and will save much money.

The SPEAKER pro tempore. Without objection, the Committee on Claims will be discharged from further consideration of the bill H. R. 9575, which bill will be considered in lieu of H. R. 915, now before the House. The Clerk will report the substitute.

The Clerk read as follows:

Be it enacted, etc., That there be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,216.01, and that the said sum be paid to the New York Marine Co. as just compensation and in full settlement and satisfaction of its damages and loss incurred and suffered by the sinking of its barge *Liberty*, on December 1, 1924, by the Coast Guard cutter *Manhattan*.

Mr. BLANTON. To carry out the understanding between the Members of the House, I move to strike out the sum of \$1,216.01 stated in the bill and insert \$1,182 which the department recommends to be paid.

The amendment was agreed to.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 1, line 5, strike out "\$1,216.01" and insert in lieu thereof "\$1,182."

The amendment was agreed to.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin: At the end of the bill insert:

"Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed; and a motion to reconsider was laid on the table.

The bill H. R. 915 was laid on the table.

DOUGLAS B. ESTEY

The Clerk called the next bill (H. R. 3697), for the relief of Douglas B. Estey.

Mr. COLLINS. Mr. Speaker, I object.

MARY MURNANE

The Clerk called the next bill (H. R. 7870), for the relief of Mary Murnane.

Mr. BLANTON. Mr. Speaker, I reserve the right to object. This bill as introduced is for the sum of \$10,000. The committee has offered an amendment reducing that sum to \$109. Have we any assurance from the chairman of the committee that in the closing hours of this Congress there will not be sent back from another body this same bill with the sum raised back to \$10,000?

Mr. IRWIN. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Yes.

Mr. IRWIN. I intend to offer an amendment to the committee amendment increasing the sum of \$109 to \$609. That was an inadvertence, a mistake, upon the part of the clerk. The doctor bills and the actual expenses amounted to \$109. There was a permanent injury to the wrist and also the ankle. The subcommittee in going over the matter recommended that \$500 be given for the permanent injury plus the \$109 for the actual expenses.

Mr. BLANTON. When the distinguished gentleman made his report on this bill to the House, not only in the bill but also in his report he says in line 4 to strike out \$10,000 and insert \$109—

Mr. IRWIN. It was an error on the part of the clerk in making the report. This was reconsidered and it was agreed by the committee to pay \$609.

Mr. BLANTON. The same objection I raise would apply to the \$609. Can the gentleman assure us—he will be one of the conferees—that another body will not run over him and put back that \$10,000?

Mr. IRWIN. I assure the gentleman that I will do the best I can to hold it to \$609.

Mr. BLANTON. Can the gentleman assure us that will be done?

Mr. IRWIN. As far as I am concerned it will be.

Mr. BLANTON. Because we are going to be in the closing hours of Congress very soon.

Mr. IRWIN. As far as I am concerned, I agree that it will be done.

Mr. BLANTON. With that assurance, I shall not object, for I shall be on the floor to help the gentleman keep the amount from being raised.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay the sum of \$10,000 to Mary Murnane, of New Haven, Conn., in compensation for injuries sustained January 19, 1926, in the city of New Haven, Conn., when struck by a United States Post Office Department motor vehicle.

With the following committee amendments:

Line 4, after the word "authorized," insert the words "and directed," and in the same line, after the word "pay," insert "out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government."

The SPEAKER pro tempore. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the remaining amendment.

The Clerk read as follows:

Line 6, strike out "\$10,000," and insert "\$109."

Mr. IRWIN. Mr. Speaker, I move to amend the committee amendment by striking out "\$109," and inserting "\$609."

The amendment to the committee amendment was agreed to, and the committee amendment as amended was agreed to.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I offer the following amendment which I send to the desk.

The Clerk read as follows:

At the end of the bill insert the following:

Provided, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 per cent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN NEWSPAPERS

The Clerk called the next bill (H. R. 5917), for the relief of certain newspapers for advertising services rendered the Public Health Service of the Treasury Department.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

UNIVERSITY OF KANSAS

The Clerk called the next bill (H. R. 7783), for the relief of the University of Kansas.

Mr. BLANTON. Mr. Speaker, I object.

Mr. HOOPER. Will the gentleman withhold his objection for me to make a statement?

Mr. BLANTON. I withhold the objection.

Mr. HOOPER. The gentleman from Kansas [Mr. GUYER] is confined to his bed by sickness. I wonder if there is some parliamentary way by which I could ask unanimous consent to have this bill remain on the calendar, without objection?

The SPEAKER pro tempore. It remains on the calendar in any event.

Mr. HOOPER. Will the gentleman from Texas withhold his objection to it?

Mr. BLANTON. I do not think it ought to pass to-night.

Mr. HOOPER. It would not pass under those circumstances.

Mr. BLANTON. I would not object to it remaining on the calendar, but that is the effect which the objection has.

Mr. HOOPER. Even after objection, it remains on the calendar?

Mr. BLANTON. It retains its place on the calendar.

Mr. HOOPER. It retains its place on the calendar?

Mr. BLANTON. Certainly. I object because I think a bill of \$20,000 should not pass now.

I object for to-night, Mr. Speaker.

ARTHUR L. HACYKELL

The Clerk called the next bill (H. R. 658), for the relief of Arthur L. Hacykell.

Mr. COLLINS. Reserving the right to object, the gentleman understands that it is proposed that Congress promote this naval officer.

Mr. SWING. Yes; and I want to explain briefly the facts which I feel justify it. The Committee on Naval Affairs which very seldom moves to take a matter out of the hands of the Navy Department—

Mr. COLLINS. Oh, the gentleman is mistaken about that. We have 50 such bills on the Calendar.

Mr. SWING. The Committee on Naval Affairs has twice considered this matter. This is the third time they have recommended the passage of this bill. Two previous Houses passed the bill. The reasons in support of the bill are these: On July 12, 1921, Congress passed a law which provided that those who were suffering from disabilities incurred in line of duty—this was immediately following the war—could apply and be examined, and if they had permanent disabilities they could be retired in the rank and grade in which they were then serving. That law was limited to a period of 90 days in which to make applications. During that time this lieutenant made his application, but no action was taken upon it. I want that to be understood. He made his application in August, 1921, within the 90-day period, and was entitled to retirement in the rank asked for here if he at that time had a permanent disability incurred in line of duty.

Now, in March, 1920, he had been examined and they held at that time that he did not have a permanent disability, because they thought—that is, they hoped—the disability he had could be cured by an operation. They sent him to a naval hospital and he was operated upon, but the operation was not a success and he continued to have this disability. In December, 1921, by the operation of law, his title as lieutenant was taken away from him and he went back to machinist. During the war he had been so physically fit and had performed his duties so well that he was promoted from ensign to lieutenant, junior grade, and from lieutenant, junior grade, to lieutenant, and performed the duties satisfactorily in all positions. But in March, 1922, after he had fallen back to the rank of mechanic, they then looked over his medical history and then said he was permanently and totally disabled for identically the same disability which in March, 1920, they thought would only be temporary and which they hoped to remove by an operation, but which their best skill was unable to relieve him of. So, as a matter of fact, looking back on it, we now know that in August, 1921, at the time he made his application for retirement, he had this same disability, and it was permanent and he ought to have been retired, but they took no action.

They neither approved nor denied his application. They just let it lie there until the 90 days expired, and then, after he had fallen back to the rank of mechanic, they then retired him in the lesser grade. There is a sort of feeling in the Committee on Naval Affairs, although I am not a member of it, but there is a feeling there, and the reason they have reported this bill is, that they felt this man had not had a square deal. The Navy doctors first said it

was a temporary disability, and then, after he had lost his rank as lieutenant, they said it was permanent.

Mr. COLLINS. I do not think Congress is qualified to determine whether this or any of these other men and officers are entitled to promotion.

Mr. SWING. The department has said he ought to be promoted. If the gentleman will read the report, they list eight men whom they say ought to be retired at their war-time rank. The only difference between the committee and the department is the department says these eight men ought to be retired en bloc, and the committee has reported bills out individually, saying that each ought to be passed upon separately upon its own merits, so that the department and the committee are both in accord that there is merit in this case, and the only difficulty is in regard to the modus operandi.

Mr. COLLINS. Oh, I beg the gentleman's pardon. The Acting Secretary of the Navy winds up his report by saying: "In view of the foregoing, the Navy Department recommends against the enactment of the bill."

Mr. SWING. That is true, but on page 2 you will find Lieutenant Hacykell's name among those listed as officers probably entitled to the benefits of this kind of legislation.

Mr. COLLINS. I will have to follow in this instance the recommendation of the department. I object, Mr. Speaker.

CHIEF PHARMACIST LAURENCE OLIPHANT SCHETKY, UNITED STATES NAVY

The Clerk called the next bill (H. R. 1050), providing for the promotion of Chief Pharmacist Laurence Oliphant Schetky, United States Navy, retired, to the rank of lieutenant, Medical Corps, on the retired list of the Navy.

Mr. COLLINS. Mr. Speaker, I object.

LEGAL REPRESENTATIVES OF COBB, BLASDELL & CO.

The Clerk called the next bill (H. R. 761), for the relief of the legal representatives of Cobb, Blasdell & Co.

Mr. STAFFORD. Mr. Speaker, this bill has been before Congress for a long time, and I will object consistently.

Mr. CANFIELD. Will the gentleman reserve his objection?

Mr. STAFFORD. I reserve the objection.

Mr. CANFIELD. I admit this is a war claim, but it is a meritorious claim.

The War Department, if the gentleman will notice, does not report against it. It states that since the case was first tried, when sufficient evidence was not produced, additional evidence has been produced, and as much as to say that if it was brought before the Court of Claims again favorable consideration could be given to it. I trust the gentleman will not object to it, as the bill merely provided for the sending of the case to the Court of Claims.

Mr. STAFFORD. This claim was passed upon adversely in 1883 when the facts were fresh and when the claimant could present them and the Government could present them. Now, at this late day it is unearthed, when the testimony is stale and hoary, and they want to have it revived, of whom I do not know, whether for the benefit of a claim agent or somebody else.

Mr. CANFIELD. A claim agent has nothing to do with it.

Mr. STAFFORD. I object.

JAMES GLOVER

The Clerk called the next bill (H. R. 6545), for the relief of the estate of James Glover, deceased.

Mr. SCHAFER of Wisconsin and Mr. BLANTON objected.

CHARLES ROBERT O'LEARY

The Clerk called the next bill (H. R. 1449), for the relief of Paymaster Charles Robert O'Leary, United States Navy. There being no objection, the bill was read, as follows:

Be it enacted, etc., That hereafter Paymaster Charles Robert O'Leary, United States Navy, shall be regarded as having been promoted to the rank of pay inspector in the United States Navy on the 11th day of January, 1918: *Provided,* That said Paymaster Charles Robert O'Leary shall establish to the satisfaction of the Secretary of the Navy, by examination, his mental, moral, physical, and professional qualifications to perform all the duties of said

grade: *Provided further,* That nothing herein shall be construed to entitle Paymaster Charles Robert O'Leary, United States Navy, to any back pay, allowance, or other emoluments in this permanent rank.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

FRANCIS LEO SHEA

The Clerk called the next bill (H. R. 1798), for the relief of Francis Leo Shea.

Mr. COLLINS. Mr. Speaker, I object.

RUSSEL H. LINDSAY

The Clerk called the next bill (H. R. 4763), for the relief of Russel H. Lindsay.

Mr. BLANTON. Mr. Speaker, the department recommends against this bill, and I object.

RAYMOND NELSON HICKMAN

The Clerk called the next bill (H. R. 1122), for the relief of Raymond Nelson Hickman.

Mr. COLLINS. Mr. Speaker, I object.

T. G. ROBERTS

The Clerk called the next bill (H. R. 5151), for the relief of T. G. Roberts.

Mr. BLANTON. Mr. Speaker, the department recommends against this bill, and I object.

JOLIET NATIONAL BANK

The Clerk called the next bill (H. R. 3680), for the relief of Joliet National Bank, Commercial Trust & Savings Bank, and H. William, John J., Edward F., and Ellen C. Sharpe.

Mr. BLANTON. Mr. Speaker, I reserve the right to object in order to give the gentleman from Georgia an opportunity to show that this \$50,000 ought to be taken out of the Treasury.

Mr. COX. Mr. Speaker, there is attached to the report of the committee to which this bill was referred a statement furnished by the War Department which recommends against the adoption of the measure. The basis of the finding of the War Department is that the party pressing this measure made a false statement, that is, his statement before the War Department was in conflict with the statement made before a different department and, therefore, their finding is unfavorable.

I want to make this observation, Mr. Speaker: While I was not a member of the committee and am not a member of the committee, Mr. SINCLAIR is chairman of the subcommittee reporting on this bill.

Mr. BLANTON. Has the gentleman any personal knowledge about this \$50,000?

Mr. COX. I happen to know that there was evidence submitted to the committee which substantiated the fact that these expenditures were made by the claimant under an order issued by an authorized agent of the Government.

Mr. BLANTON. I listened to the gentleman's very able law argument the other day, and he believes in upholding the law.

Mr. COX. Yes.

Mr. BLANTON. The department says there is no legal ground for paying this \$50,000.

Mr. COX. Let me make this observation: If claims that are brought to this Congress depended upon favorable reports from different departments, much injustice would be done to claimants, this being their only recourse in getting an adjudication of their claims.

Mr. BLANTON. Are not the departments very careless and very liberal usually?

Mr. COX. I think not, sir; and permit this statement, if you please: There have been certain indictments lodged against different committees of this House, not by yourself, which I think are wholly unjustifiable. The committees of this House are the agents of this House, and if there is a finding of anybody that ought to have standing with the House it is the finding of their agents who are charged with the specific duty of making an investigation and rendering

a finding on matters of this character. I hope the gentleman will not object.

Mr. BLANTON. I want to say to my friend that when I was on the Claims Committee, by a vote of 20 to 1, they reported the \$100,000,000 Sevier heirs bill, to take \$100,000,000 out of the Treasury to pay that old Sevier heirs claim. When the matter was finally brought up on the floor and thrashed out, the House turned it down; so that committees do sometimes make mistakes, and for the present I shall be forced to object.

Mr. COX. Will the gentleman permit one more observation? I wish to direct the gentleman's attention to the fact that this bill has been before this same committee of this Congress, and with a favorable finding upon it the bill passed both Houses of Congress but received a pocket veto by the President.

Mr. BLANTON. The gentleman is such a delightful colleague that I hate to object.

Mr. COX. I hope the gentleman will not object to this bill.

Mr. BLANTON. I feel that I must object. I object, Mr. Speaker.

THOMAS CARROLL

The Clerk called the next bill (H. R. 485), for the relief of Thomas Carroll.

There being no objection, the bill was read, as follows:

Be it enacted, etc., That in the administration of the pension laws Thomas Carroll shall hereafter be held and considered to have been honorably discharged on July 1, 1901, from the military service of the United States in Company M, Forty-seventh United States Volunteer Infantry: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

JOHN H. LAFITTE

The Clerk called the next bill (H. R. 500) for the relief of John H. LaFitte.

Mr. STAFFORD. I object, Mr. Speaker.

Mr. FULMER. Will the gentleman withhold his objection?

Mr. STAFFORD. I reserve it, Mr. Speaker.

Mr. FULMER. I would like to say to the gentleman there are quite a number of facts not contained in this short report that should have gone into the report. I believe if the gentleman had them explained to him, he would not object to the bill.

In the first place, Captain LaFitte served during the whole period of the emergency and absolutely qualified except that after this service he was requested, largely because of being a student of The Citadel at Charleston, S. C., to enter the Regular Army. He did this and resigned to go back to school, and I have a letter here from Colonel Ijams, of the Veterans' Bureau, saying that this party qualifies and would come under the emergency act. As a matter of fact, when the emergency act passed the Congress some time ago Captain LaFitte was in the Record as one who would benefit from such legislation, but because of a technical decision on the part of the comptroller, inasmuch as he served in the Regular Army afterwards, they state he does not come within the act.

Mr. STAFFORD. The record discloses that he retired voluntarily, and having retired voluntarily from the Army he now wishes to be the recipient of some of the beneficences of this act. There are hundreds of such cases.

Mr. FULMER. I will state to the gentleman that the facts will show he did resign purposely to continue his education, and only entered the Regular Army on request, because of his efficiency and because of having taken the course at The Citadel.

Mr. STAFFORD. After having resigned, why should he then seek to have the benefit of retirement, himself having determined the policy he would follow?

Mr. FULMER. He resigned from the Regular Army. They plainly state that he qualifies but just because he entered and served in the Regular Army—

Mr. STAFFORD. My friend will realize that if we allow this bill to pass there would be a thousand cases that could be the basis for a claim of this character.

Mr. FULMER. I would like to say to the gentleman that I think this is the only case of this kind.

Mr. ARENTZ. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. ARENTZ. In a letter that we received from this man he states that H. R. 500 merely gives him a chance to have his retirement claim adjudicated by the proper authorities by removing the barrier contained in the ruling of the Comptroller General.

Mr. STAFFORD. The fact is he is now receiving compensation and he wants to get higher rating than he would otherwise be entitled to. I object, Mr. Speaker.

Mr. BACHMANN. Will the gentleman withhold his objection a moment?

Mr. STAFFORD. Yes.

Mr. BACHMANN. I want to say to the gentleman that when this bill was up some time ago during the last session, I was the one that objected to it. I have had considerable correspondence with Mr. LaFitte and I have letters here that convince me this is a proper and a just claim. I am sorry the report is not complete enough to give the gentleman sufficient information, but there is a lot of additional information which he has furnished by correspondence. I satisfied myself that it is a just claim and for that reason decided not to object.

Mr. STAFFORD. In the meantime I will take advantage of this occasion to examine the correspondence, but from my present examination of the case I feel constrained to object for the present. I object, Mr. Speaker.

LANDON RANDOLPH MASON

The Clerk called the next bill (H. R. 602), authorizing the President to issue an appropriate commission and honorable discharge to Landon Randolph Mason.

Mr. SCHAFER of Wisconsin and Mr. PATTERSON objected.

ORVILLE D. DAILEY

The Clerk called the next bill (H. R. 1108), for the relief of Orville D. Bailey.

Mr. COLLINS. Reserving the right to object—

Mr. JENKINS. I would like to say to my friend, if he expects me to take the laboring oar in this matter, that I think this has the same merit as when we had the bill up before. I have discussed the matter with my friend since then; I do not know whether he remembers it or not.

Mr. STAFFORD. Will the gentleman yield?

Mr. JENKINS. Yes.

Mr. STAFFORD. Under the act passed last session whereby we reduced the number of days for Spanish-American War veterans to obtain a pension, why is there any necessity of changing the record so that this soldier would be given the benefit of a 90-day service?

Mr. JENKINS. The gentleman's question is a forcible one. That is the lame point in this case. Here is the proposition: This soldier was a young man attendant upon college, a young farm boy, and he went over and offered himself for enlistment. He was told by the recruiting officer to come back on a certain day. He comes back at that time and finds that the quota has been completed and he is one man too late. He was told to come back another day, and he comes back another time and enters the Army and serves faithfully as a volunteer 82 days.

Without any action on his part whatever, one day he gets notice that he is to report home. He goes home—he does not know why they sent for him, but he went home—and then found that his Congressman, who represented the same district that I now represent—one of the most distinguished Congressmen that ever sat in this House, the Hon. Charles H. Grosvenor—

Mr. STAFFORD. I remember him well.

Mr. JENKINS. Mr. Grosvenor, at the instigation of some active fellows in the Ohio University, got in touch with the War Department and had the young man report back home so that he might engage in football games.

Mr. STAFFORD. The gentleman has not answered the query that I put to him, Why under the law that we passed last session is it necessary to change the record?

Mr. JENKINS. I am coming to that. The gentleman assumes that there is nothing involved in this bill but the basis for a pension.

Mr. STAFFORD. I should be surprised if there was any other purpose.

Mr. JENKINS. That is not the real purpose of the bill. He feels that he enlisted as a soldier, then he went off with the other boys, that they came back and had a 90-day service, and he feels that he is entitled to a 90-day service.

Mr. STAFFORD. He got his honorable discharge?

Mr. JENKINS. He never made any application for a pension.

Mr. STAFFORD. But he has a pensionable status.

Mr. JENKINS. He maintains that he ought to have a 90-day service. He was entitled to it and was robbed of that honor.

Mr. STAFFORD. I do not think that the Military Affairs Committee would have reported this bill except to give him a pensionable status. He has it under the general law passed at the last session of Congress.

Mr. JENKINS. That was not the motive that actuated the committee at all. Brigadier General Bridges, in a letter which you will find in the report, says that he was honorably discharged on September 6, 1898, in compliance with telegraphic instructions.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. JENKINS. Yes.

Mr. SCHAFER of Wisconsin. You have no evidence that he was not discharged upon his own request except his own affidavit?

Mr. JENKINS. Yes; here is a letter from Brigadier General Bridges that I have just read. He says he was honorably discharged in compliance with telegraphic instructions from the War Department. That carries out my assertion.

Mr. SCHAFER of Wisconsin. How does the gentleman know that the letter does not directly or indirectly indicate that a request for a discharge came from this man?

Mr. JENKINS. This is a report.

Mr. SCHAFER of Wisconsin. This does not show that the man did not request the discharge to go back and play football. The only evidence you have in the committee's report is the beneficiary's own affidavit.

Mr. JENKINS. The gentleman can not hold me responsible for the report.

Mr. SCHAFER of Wisconsin. Has the gentleman any additional evidence besides the man's own affidavit to indicate that he was not responsible for his discharge?

Mr. JENKINS. I have an abundance of information and an abundance of proof.

Mr. SCHAFER of Wisconsin. What corroborative evidence has the gentleman that the letter he has just read from Bridges does contain, directly or indirectly, any corroborative evidence that this man did not request his own discharge through his Congressman?

Mr. JENKINS. This letter by the Acting Adjutant General is in response to inquiries of the same kind the gentleman is asking.

Mr. SCHAFER of Wisconsin. In what portion of that letter can you read invisible words which would indicate that the man did not make the request for the discharge himself?

Mr. JENKINS. The gentleman knows that one can not have every possible supposititious proposition that the fertile brain of the gentleman from Wisconsin can think of in one short letter.

Mr. SCHAFER of Wisconsin. I believe in all seriousness that a man who got out of the Army during the war in order to play football should not receive the same kind of

a discharge as a man who remained in the service, unless he can furnish some corroborative evidence to substantiate the beneficiary's own statement.

Mr. JENKINS. What would the gentleman think of this proposition. Where a man is in the Army and he is released from the Army without any initiative on his own part, for no other purpose than a trifling thing like playing football, and he is not responsible for it, and he was discharged for no other reason than that, does not the gentleman think that he is entitled to claim that he ought to be allowed to stay there and get the full 90 days' service?

Mr. SCHAFER of Wisconsin. Yes; but with all respect to the gentleman, the gentleman has not produced sufficient evidence to indicate that the man was not discharged on his own request through the action of his Congressman. Mr. Speaker, I object.

ALEXANDER C. DOYLE

The Clerk called the next bill (H. R. 1430), for the relief of Capt. Alexander C. Doyle.

Mr. PATTERSON. Mr. Speaker, I reserve the right to object. I notice that the charge against this man was padding the pay rolls. Has the gentleman sufficient evidence to show that he did not do that? I know that he was cleared by a court-martial, but was the evidence brought out to show that he did not do it? I object.

JOHN D. O'CONNELL

The Clerk called the next bill (H. R. 1432), for the relief of John D. O'Connell, first lieutenant, Quartermaster Corps. There being no objection, the bill was read as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John D. O'Connell, first lieutenant, Quartermaster Corps, United States Army, a sum not exceeding \$1,024.12, representing the amount of deductions during the months from November, 1927, to date, from his pay as first lieutenant, Quartermaster Corps, United States Army, this amount representing money stolen from the United States Government for which he was responsible.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM H. BALDWIN

The Clerk called the next bill (H. R. 2699), to authorize an appropriation to cover damages to an automobile of William H. Baldwin.

There being no objection, the bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, a sum not to exceed \$212.15 to reimburse William H. Baldwin for damages to his automobile while traveling under orders as an employee of the Engineer Department, United States Army, November 8 to 11, 1927, on duty relating to the floods then prevailing in the vicinity of Ludlow, Vt.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PHILIP A. SCHOLL

The Clerk called the next bill (H. R. 2730), for the relief of Capt. Philip A. Scholl, Finance Department, United States Army.

There being no objection, the bill was read, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the account of Capt. Philip A. Scholl, Finance Department, United States Army, on account of the loss of public funds for which he was responsible amounting to \$225.22, and which represents payments made in good faith to enlisted men of the Regular Army, and are now determined to have been erroneous; the enlisted men so paid are no longer in the service of the United States, and collection from them after numerous attempts has failed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT J. BURTON

The Clerk called the next bill (H. R. 3282), to provide for appointing Robert J. Burton, a former field clerk, Quartermaster Corps, a warrant officer, United States Army.

Mr. COLLINS. I object.

SAMUEL J. D. MARSHALL

The Clerk called the next bill (H. R. 3723), for the relief of Samuel J. D. Marshall.

Mr. BLANTON. I object. This bill appropriates \$49,112 and ought not to be passed.

LOUIS VAUTHIER AND FRANCIS DOHS

The Clerk called the next bill (H. R. 4643), for the relief of Louis Vauthier and Francis Dohs.

Mr. STAFFORD. I object.

HENRY E. WILLIAMS

The Clerk called the next bill (H. R. 5956), for the relief of Henry E. Williams.

Mr. COLLINS. I object.

OLIVER ELLISON

The Clerk called the next bill (H. R. 6090), for the relief of Oliver Ellison.

There being no objection, the bill was read as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Oliver Ellison, who served in Troop H, Eighth Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the service of the United States Army on May 15, 1901: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

EDWARD A. BURKETT

The Clerk called the next bill (H. R. 487), for the relief of Edward A. Burkett.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Edward A. Burkett, who was a member of Company L, Fifth Regiment United States Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

With the following committee amendment:

After the words "United States," on page 1, line 8, insert "May 31, 1899."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

FIRST LIEUT. FRANK Z. PIRKEY

The Clerk read the next bill (H. R. 553), for the relief of First Lieut. Frank Z. Pirkey.

Mr. PATTERSON. Mr. Speaker, I object.

GEORGE CALDWELL

The Clerk called the next bill (H. R. 656), for the relief of George Caldwell.

Mr. COLLINS. I object.

Mr. SWING. Will the gentleman withhold his objection?

Mr. COLLINS. I will reserve the objection.

Mr. SWING. This bill is from the Committee on Military Affairs. The other bill to which the gentleman from Mississippi objected was from the Committee on Naval Affairs. I would like to try out my friend from Mississippi on the military side, because I think he may be more sympathetic with the decisions of the Committee on Military Affairs than he may be with the decision of the Committee on Naval Affairs.

Capt. George Caldwell was one of the outstanding heroes of the war. He was awarded the silver star for citation by General Pershing. He was awarded the French croix de

guerre with a bronze star by a general of the French Army. He was recommended for the distinguished-service medal of our country. In all, he gave this country 25 years of the best service of his life. When the war broke out he was then serving in the capacity of ordnance sergeant. If he had been permitted to continue as ordnance sergeant, at the end of his 25 years he could have been retired with pay, based on longevity which he was entitled to, of \$138 per month. However, his country said, in our great crisis, "We call upon you to perform some other duties. We want you to act as a second lieutenant." He acted as a second lieutenant. His country said, "We want you to perform still other services. We want you to perform the duties of first lieutenant." He performed the duties of first lieutenant. His Government said to him, "We want you to perform the duties of captain." He performed the duties of captain; and then, when he had given everything he had to give, when he had aided in ending the crisis in which our country was engaged, we passed a law—and no general rule can do justice to everybody; there are always some injustices and the injustices ought to be corrected—we provided by that law that where a man had more than 20 years' service and less than 10 years' commissioned service, he should draw the retired pay of warrant officer.

Mr. COLLINS. And the gentleman thinks we ought to make an exception to that rule in this case?

Mr. SWING. Yes, sir.

Mr. COLLINS. And the War Department thinks we ought not to make such an exception.

Mr. SWING. I know; but I am asking the gentleman to do his own thinking and not accept the ideas of the War Department. Here is a man who was in a way to draw \$138 a month, and because the Government exercised the power which it had, because it reached down and took him out of the position of ordnance sergeant and made him a second lieutenant, made him a first lieutenant, made him a captain, and then, through our own acts here we retire him with only \$85 a month, when, if left alone, he would have been entitled to retire as ordnance sergeant at \$138 a month. I ask you, I ask all of you, whether that is a fair, square deal under the circumstances?

Mr. COLLINS. The gentleman understands I have objected to all of these congressional promotions for officers in the Army and Navy. I think the department is better able to judge their qualifications than the Congress. We should let them make promotions. We do not know all the facts and can not.

Mr. SWING. Oh, we have promoted Rear Admiral Byrd; we have promoted Colonel Lindbergh; we promote people right along. We do anything we want to if it appeals to us as right, and I ask the gentleman from Mississippi to consider this man's service and to do him justice. Through no choice of his own he is punished because he had outstanding ability which caused our Government to use him as a second lieutenant, as a first lieutenant, and then as a captain.

Mr. COLLINS. I want to say I do not believe in congressional promotions. I believe the department should be left to determine promotions, and therefore, Mr. Speaker, I object.

LAWRENCE FISHER

The Clerk called the next bill (H. R. 2732), to correct the military record of Lawrence Fisher.

Mr. STAFFORD. Mr. Speaker, I reserve the right to object, to state that since we passed an amendment to the Spanish-American War pension act there is no necessity for this bill. Therefore, I object.

THOMAS A. M'GUIRK

The Clerk called the next bill (H. R. 3521), for the relief of Thomas A. McGuirk.

Mr. COLLINS. Reserving the right to object, and I am not going to object, I think the word "alias" should be stricken from this bill.

Mr. STAFFORD. For what reason?

Mr. COLLINS. Mr. Speaker, I withdraw the reservation to object, and I will offer an amendment at the proper time.

Mr. STAFFORD. Will the gentleman withhold his reservation for a moment?

Mr. COLLINS. I will withhold the reservation.

Mr. STAFFORD. The question of substituting some other word for the accepted term "alias" was brought up before the Committee on Military Affairs, and after reference to the lexicographer we found it was the accepted term in these cases.

Mr. COLLINS. I know; but it is a word that is generally regarded as offensive.

Mr. STAFFORD. It does not connote the idea of any felony having been committed. It is a proper term.

Mr. COLLINS. It is an offensive term and is usually used that way.

Mr. ARENTZ. Since the man enlisted under two names, how would you arrange for correcting the record in his case?

Mr. COLLINS. The amendment I was going to propose was "also enlisted as Thomas Devlin."

Mr. ARENTZ. I think that would be helpful to the man.

Mr. COLLINS. If you are going to give the man an honorable discharge, you should give him one that is worth while.

Mr. ARENTZ. That would not leave the impression that he was serving under two names.

Mr. STAFFORD. I have before me Webster's International Dictionary. The definition of alias is "another name, an assumed name." It is correct English to use the word "alias."

Mr. COLLINS. I understand what the dictionary says, but it generally carries with it the commission of a crime.

Mr. GREEN. And it is usually used in all court proceedings.

Mr. STAFFORD. It is applied to those cases, but also applied to a person who assumes another name for a good reason. It is good English.

Mr. COLLINS. We could say "otherwise known as." Mr. Speaker, I withdraw the reservation of objection.

There being no objection, the bill was read, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Thomas A. McGuirk, alias Thomas Devlin, who was a member of Company K, Sixth Regiment United States Infantry; Hospital Corps, United States Army; and Fourth Battery, United States Field Artillery, shall hereafter be held and considered to have been one and the same person and to have been honorably discharged from the military service of the United States as of each date of discharge shown on the official records of the War Department: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

With the following committee amendment:

In line 5, on page 1, strike out the surname "McGuirk" and insert in lieu thereof the name "McGurk."

The committee amendment was agreed to.

Mr. COLLINS. Mr. Speaker, I offer an amendment. In line 5, strike out the word "alias" and substitute "otherwise known as."

The SPEAKER pro tempore. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COLLINS: On page 1, line 5, strike out the word "alias" and insert in lieu thereof "otherwise known as."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed; and a motion to reconsider laid on the table.

The title was amended.

J. B. BURFORD & CO.

The Clerk called the next bill (H. R. 6070), for the relief of J. B. Burford & Co., Morris Construction Co., Alaska Electric Light & Power Co., John Harris, and members of the Alaska Territorial Legislature, eighth session.

Mr. SUTHERLAND. Mr. Speaker, I ask unanimous consent that this bill be laid on the table.

Mr. STAFFORD. Do I understand objection is made by the Delegate from Alaska?

Mr. SUTHERLAND. I object.

Mr. STAFFORD. Will the gentleman explain his objection?

Mr. SUTHERLAND. It is now a dead bill. The budget committee took care of the proposition, and it was carried in an appropriation bill.

Mr. STAFFORD. Then, has the gentleman moved to lay the bill on the table?

Mr. SUTHERLAND. Yes.

The SPEAKER pro tempore. Without objection, the bill will be laid on the table.

There was no objection.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BLANTON. While I have no objection to the bill of the Delegate from Alaska being laid on the table I want to know whether under the order which permits us to meet to-night we can do anything else but object to bills or pass them.

The SPEAKER pro tempore. When a bill is up for consideration the House can do to-night anything it could do at any other time. Any permissible motion can be made.

EDWARD V. RICKENBACKER

The Clerk called the next bill (H. R. 325), authorizing the President of the United States to present in the name of Congress a congressional medal of honor to Capt. Edward V. Rickenbacker.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, since this bill was last under consideration in the House, through the regular channels of the War Department the congressional medal of honor has been conferred upon this famous ace, and accordingly I move to have this bill laid on the table.

The SPEAKER pro tempore. Without objection, the bill will be laid on the table.

There was no objection.

WILLIAM O. TRAFTON

The Clerk called the next bill (H. R. 4081), to confer the medal of honor for service in the Philippine insurrection on William O. Trafton.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, here is a bill that was passed over on the last call.

Mr. BRIGGS. It was not objected to, but it was passed over.

Mr. STAFFORD. I have gone over the report and over this bill two or three times since then. I have prepared an amendment authorizing the President to constitute a board of Army officers to inquire as to whether this former private should have conferred upon him the certificate of merit or medal of honor. In the present form of the bill I would be constrained to object.

Mr. BLANTON. Will the gentleman yield?

Mr. STAFFORD. My reason is this: Since the prior bill and this one have been under consideration the Committee on Military Affairs has had the benefit of the opinion of the former Chief of Staff, General Summerall, in which he expressed himself strongly in opposition to the policy of Congress taking any specific action in favor of the conferment of medals of honor. Following out that policy the department conferred, as a matter of course, the medal of honor upon Captain Rickenbacker. There is an act of Congress which forbids the War Department from considering this case, and the proposal which I wish to submit provides for the lifting of that limitation and having a board of inquiry as to whether this person is entitled to any such recognition.

Mr. BLANTON. Will the very distinguished and most valuable Member from Wisconsin yield?

Mr. STAFFORD. That sounds like honey to my ears after the castigation I received earlier in the evening.

Mr. BLANTON. I would like to ask the gentleman a question. He probably knows that this man's companion had

this medal of honor conferred upon him, and in this man's discharge it is stated that his service was honest and faithful, his character excellent, and he was recommended for the certificate of merit for gallant service in action.

Mr. STAFFORD. A certificate of merit is entirely different from a congressional medal of honor.

Mr. BLANTON. But his companion received the congressional medal of honor.

Mr. STAFFORD. Yes; I went over this matter on Sunday and I went over it again one evening this week and again this evening after the House recessed, out of courtesy to the gentleman from Texas [Mr. Briggs]. It is true that his companion was recommended by the board of inquiry for a certificate of merit and that the final board recommended the congressional medal of honor. There are certain facts in this case which the Congress can not efficiently determine whether this companion in this engagement should have the medal of honor.

For instance, the record in this case shows, so far as the facts have been brought before us, that the other person, Mr. Epps, who has received the congressional medal of honor, originated the idea, went to his superior officer and said, "Here is an opportunity for us to trap the Filipinos and get possession of their garrison." It was Epps who conceived the idea. This man Trafton did not conceive the idea but was only a party to making successful that which Epps had conceived. I am not in a position, and no Member of the House or of the Committee on Military Affairs is in a position, to determine the merits with respect to whether this man should receive a certificate of merit or the congressional medal of honor. The congressional medal of honor passed by this House is the highest distinction that can be conferred. I am willing to lift the barrier of the statute and have a board of officers created to pass upon this question and report to the President.

Mr. BLANTON. Will the gentleman yield for one question?

Mr. STAFFORD. Yes.

Mr. BLANTON. Does not the fact that his service was honest and faithful appeal to the gentleman whose service here is always honest and faithful?

Mr. STAFFORD. Of course; and that is why I am recommending this substitute.

Mr. BLANTON. And does not the fact that his character is excellent appeal to the gentleman, whose character likewise is excellent?

Mr. STAFFORD. I thank the gentleman.

Mr. BLANTON. Does not the fact that he was recommended for a certificate of merit for gallant service appeal to the gentleman, whose service here is always gallant?

Mr. STAFFORD. That is all very persuasive, and I am almost submitting to the all-persuasive appeal of my good friend from Texas, yet, and for that reason, I have been willing to have this substitute adopted if it meets with the approval of the author of the bill.

Mr. BRIGGS. Let me ask the gentleman to yield to me for a statement in connection with this matter.

Mr. STAFFORD. Certainly.

Mr. BRIGGS. It must be remembered that this occurrence took place in the period of the Philippine insurrection back in 1889. At that time two of these men, Epps and Trafton, were detailed to search for Filipinos in connection with a very sharp engagement at Vigan in the Philippine Islands. These two men were together. Epps heard this movement and disturbance in one of these houses. He mounted the parapet while Trafton stood on guard at the gateway. When he looked over the parapet he saw 17 Filipinos armed with rifles and the others with bolos. He covered them and said he was going to call others to his assistance. Trafton stood at the gate, jumped over the parapet, and came in, and he likewise covered the Filipinos, and between the two of them they captured all of them and took them prisoners. This was regarded as a heroic act, and I would like to read from the report or statement of the commanding officer at that time. This is a part of the official report:

During the latter part of the fight Privates Epps and Trafton, of Company B, were directed to watch a building supposed to contain insurrectos. This they did, taking a position in great danger of the fire from their rear. Here they stayed until some time after daylight, when Epps, hearing something behind the garden wall, mounted it to be confronted by 17 of the enemy fully uniformed and equipped. Pointing his rifle first at one, then another, he shouted to his comrade to break down the bamboo gate and enter. This display of outside force no doubt saved for Epps his life, for it so thoroughly frightened the 17 that they actually shook as they clung to their useless rifles. At the direction of these two men, one on the wall and one inside, the insurrectos placed their arms, one at a time in a pile. This done, they were searched for smaller arms by Epps, who, revolver in one hand, helped to keep them covered.

This report shows that they acted together. One could not have accomplished this without the other, and this is what Colonel Van Way states—

Mr. STAFFORD. He states this many years afterwards in a letter that discusses this incident.

Mr. BRIGGS (reading):

This is to certify that William O. Trafton, now residing in Alcoa, Tex., is well known to me. He was a private in my Company B, Thirty-third United States Volunteer Infantry, and participated with this company in an engagement with Filipino insurrectos at Vigan, P. I., December 4, 1899. On this occasion Private Trafton, together with Pvt. Joseph Epps, of the same company, and unaided by others, forced the surrender of 21 insurrectos, 17 being armed with rifles, the remainder with bolos. To the best of my recollection both Trafton and Epps were recommended for either the medal of honor or certificate of merit in recognition of their skill and daring in assuming to capture this enemy detachment when well out of supporting distance of their own troops. It has recently come to my attention through various news items and letters that an award of the medal of honor has been made to Epps and that Trafton is yet without recognition for his part in the affair. As the incident is remembered by me at this late date, Epps's part was possibly somewhat more prominent than that of Trafton, because an accident of position forced the leadership on him. This fact may have been overstressed in any letters of recommendation that may have issued. In my opinion both men merit some recognition.

Mr. STAFFORD. Merit some recognition, yes; that is what I am proposing.

Mr. BRIGGS. Now the War Department says that it can not act on this recommendation or take any action, because all jurisdiction over these earlier matters expired by the act of 1918, yet the department states:

While the discharge certificate of Private Trafton shows that he was recommended for the award of the certificate of merit for gallantry in action at Vigan, P. I., December 4, 1899, no record has been found to show that such a recommendation or a specific statement or report distinctly setting forth the distinguished service and suggesting or recommending official recognition thereof has ever been received in the War Department. Even if such a statement or report be now received, it could not receive consideration for the award of a medal of honor in view of the fact that the wording of the law precludes an award for an act performed prior to the date of its approval on July 9, 1918.

Now, what would be the use of submitting this again to the War Department or to a board of Army officers 30 years after it occurred? I want to say this about Epps: Epps waited about 28 years to get his medal of honor. He was out of the service and two or three years passed by and they lost track of him. It was only a year or two ago that they located him to give him the congressional medal of honor. Now, 30 years have gone by and if we submit this to a board of Army officers they will come back with the same report because they will have no more official data than they have now. Your Committee on Military Affairs has twice favorably reported this bill, without a dissenting opinion, and I do hope the gentleman will not now object.

Mr. STAFFORD. If the gentleman does not wish to accept the substitute I have prepared, I will be constrained to object, because the official records show there is no record of this man having done this exceptional service. Let me read, if the gentleman will permit, because the hour is getting late—

Mr. BRIGGS. Does not the gentleman admit that this statement is on his original discharge and the War Department so certifies?

Mr. STAFFORD. That is the very fact I wish to have investigated by the proper officials and not by the Congress. Let me read from the report of the Secretary of War in this matter.

The letter of the Secretary of War says that the records show that in a report of the defense of Vigan, Luzon, P. I., September 4, 1899, the records show that he participated in the Battle of Vigan, P. I., September 4, 1899, but no record has been found to show that any recommendation in his behalf or the award of medal of honor or certificate of merit was ever received for consideration for his conduct during that battle.

Mr. BRIGGS. Nobody disputes that.

Mr. STAFFORD. I am unwilling to have Congress vote medals of honor promiscuously without the War Department passing upon them.

Mr. BRIGGS. The War Department has passed on it.

Mr. STAFFORD. I object.

ED BURLESON

The Clerk called the next bill (H. R. 7901), for the relief of Ed Burleson.

Mr. COLLINS. I object.

Mr. JONAS of North Carolina. Will the gentleman reserve his objection?

Mr. COLLINS. Yes.

Mr. JONAS of North Carolina. What is the gentleman's objection?

Mr. COLLINS. Changing the record of the War Department. Showing a man to be discharged on a different date from that on which he was discharged.

Mr. JONAS of North Carolina. It does not ask for that.

Mr. COLLINS. It says he was discharged October 15 and the record shows that he was discharged July 14.

Mr. JONAS of North Carolina. He returned to camp and was finally discharged on October 18.

Mr. COLLINS. But he deserted July 14.

Mr. ARENTZ. The family says he was not fit for service, either physically or mentally. After he got there they found that he was not physically fit or mentally fit, and he died shortly afterwards. All this is to clear up the record that he was dishonorably discharged.

Mr. STAFFORD. This is to enable the family to be entitled to a pensionable status.

Mr. ARENTZ. What would the family get?

Mr. STAFFORD. The gentleman realizes that later on we are going to vote the widows and dependents of the World War a pension?

Mr. ARENTZ. This is a meritorious case, and I hope there will be no objection.

Mr. JONAS of North Carolina. I want to say that this is a meritorious case. Ed Burleson was a young mountain boy in North Carolina. He was called to the colors by the local draft board. His family physician and friends claimed exemption, saying that he was physically disabled and mentally unfit. The physician of the local board found that he was physically fit, and he was drafted into the service on May 18. He remained in camp until July 14 the same year.

Mr. COLLINS. And then he deserted.

Mr. JONAS of North Carolina. He remained in camp until July 14. He left camp and returned home in full uniform, and reported to the chairman of the draft board that he had come home to see his mother.

The chairman of the draft board stated to him that he would have to return to camp which he agreed to do. He agreed to report to the local draft board and he did report and was returned to camp, and remained in camp until October 18, when there was a physical examination and he was found to be physically suffering from chronic tuberculosis. Thereupon he was discharged because of physical disability, and because he admitted that he had deserted. Thereupon he returned home and reported again to the chairman of the draft board. There is an affidavit of his own physician, two physicians, and his mother, other neighbors, and also the chairman of the draft board. By the way, the chairman of the draft board is a former member of the highway board of North Carolina and a Member of the House of Representatives. He is a man of the highest integrity, and was chairman of the draft board.

He was returned, as I say, and within four months after his return he died from tuberculosis. Here is what hap-

pened to that young man: Evidently he was neither mentally nor physically fit for military service, yet he was taken out of that high mountain altitude down to Columbia, S. C., where his disease was aggravated, and there is a clause in the bill that no back pay shall accrue on account of this. What the chairman of that draft board desires is that this stigma shall be removed from his name. The chairman came here at his own expense and was heard personally before the committee. This bill was reported in the Seventieth Congress and passed the House unanimously. It is an act of delayed justice that the Government owes this man. He ought never to have been taken into the draft at all, and the chairman of the board feels that he in some way accidentally was derelict in his duty; that they took a man off down there who was mentally and physically incapacitated and virtually killed him.

Mr. COLLINS. Let me tell the gentleman my objection to this bill. I have not to date objected to any bill giving a boy an honorable discharge. I have not objected to a bill of that class. Some of them ought to have been objected to, but I did not. If the gentleman is willing that the words "October 15" be stricken out and "July 14" substituted I shall not object to the bill.

Mr. JONAS of North Carolina. I am perfectly willing that that should be done. I do not care anything about the date.

Mr. COLLINS. I do not think the records of the War Department ought to be changed so as to show something that did not exist.

Mr. JONAS of North Carolina. His discharge shows that he was discharged October 18. That is the date of his discharge.

Mr. COLLINS. That is my objection to this bill.

Mr. JONAS of North Carolina. I care nothing about that. That is perfectly all right.

Mr. STAFFORD. Mr. Speaker, I object.

WILLIAM FISHER

The Clerk called the next bill (H. R. 9070), for the relief of William Fisher.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers William Fisher, who was a member of the Fifth Company, Third Regiment United States Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 15th day of May, 1906: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

With the following committee amendments:

Line 5, strike out "Fifth Company" and insert "Company A," and line 6, strike out the word "Regiment."

The committee amendments were agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

WEYMOUTH KIRKLAND AND ROBERT N. GOLDING

The Clerk called the next bill (H. R. 8995), for the relief of Weymouth Kirkland and Robert N. Golding.

Mr. BLANTON. I object.

FRANK J. SIMMONS

The Clerk called the next bill (H. R. 9059), for the relief of the heirs of Frank J. Simmons.

Mr. STAFFORD. I object.

FRANK W. TUCKER

The Clerk called the next bill (H. R. 9174), for the relief of Frank W. Tucker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of the Treasury of the United States, from any money not otherwise appropriated, to Frank W. Tucker the sum of \$95.36, being compensation for loss on May 31, 1902, of his personal effects, baggage, and clothing while en route from Mulanay to Bondoc, P. I., under military orders as a corporal in Company K, Second Regiment United States Infantry.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM C. GRAY

The Clerk called the next bill (H. R. 8489), for the relief of William C. Gray.

Mr. BLANTON. Mr. Speaker, the Navy Department makes an unfavorable report on this bill and recommends that it be not passed. It would cost \$2,982 a year. I object.

PROMOTION OF RETIRED OFFICER TO MAJOR GENERAL, RETIRED LIST

The Clerk read the next bill (H. R. 1099), to place a retired officer of the Army on the retired list as a major general.

Mr. STAFFORD. I object.

T. A. GILLESPIE LOADING CO.

The Clerk called the next bill (H. R. 2433), to pay certain claims heretofore reported to Congress by the Secretary of War, arising from the explosions and fire at the plant of the T. A. Gillespie Loading Co. at Morgan, N. J., October 4 and 5, 1918.

Mr. BACHMANN. Mr. Speaker, I object.

Mr. STAFFORD. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. IRWIN. Mr. Speaker, in view of the fact that we have a very hard time in getting a day for our Private Calendar, I think we should run on until 11 o'clock.

Mr. STAFFORD. Mr. Speaker, when the date was fixed I did not especially request the time to be fixed at 10.30 o'clock, but I had a mental reservation about it and so stated specifically to the majority leader. We are going to have another day. I insist upon the point of order.

ADJOURNMENT

Mr. BACHMANN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 30 minutes p. m.) the House adjourned until to-morrow, Saturday, January 24, 1931, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Saturday, January 24, 1931, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Navy Department appropriation bill.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

791. A communication from the President of the United States, transmitting an amendment to the estimates of appropriation for the Navy Department contained in the Budget for the fiscal year 1932 (H. Doc. No. 723); to the Committee on Appropriations and ordered to be printed.

792. A letter from the Secretary of the Navy, transmitting report of an accumulation of papers which are not needed in the transaction of public business and have no permanent value or historical interest; to the Committee on Disposition of Useless Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. S. 5456. An act to extend the time for construction of a free highway bridge across the Sabine River, where Louisiana Highway No. 21 meets Texas Highway No. 45; without amendment (Rept. No. 2340). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. S. 5457. An act authorizing the State of Louisiana and the State of Texas to construct, maintain, and

operate a free highway bridge across the Sabine River, where Louisiana Highway No. 6 meets Texas Highway No. 21; without amendment (Rept. No. 2341). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. S. 5458. An act authorizing the State of Louisiana and the State of Texas to construct, maintain, and operate a free highway bridge across the Sabine River, where Louisiana Highway No. 7 meets Texas Highway No. 7; with amendment (Rept. No. 2342). Referred to the House Calendar.

Mr. NELSON of Maine: Committee on Interstate and Foreign Commerce. S. 5688. An act granting the consent of Congress to the State of New Hampshire to construct, maintain, and operate a bridge or dike across Little Bay at or near Fox Point; without amendment (Rept. No. 2343). Referred to the House Calendar.

Mr. BURTNESS: Committee on Interstate and Foreign Commerce. H. R. 15591. A bill granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a bridge across the Mississippi River at or near Brainerd, Minn.; with amendment (Rept. No. 2344). Referred to the House Calendar.

Mr. WYANT: Committee on Interstate and Foreign Commerce. H. R. 15594. A bill authorizing the construction of a bridge across the Mahoning River at Edinburg, Lawrence County, Pa.; without amendment (Rept. No. 2345). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 15598. A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at Mound City, Ill.; with amendment (Rept. No. 2346). Referred to the House Calendar.

Mr. PARKS: Committee on Interstate and Foreign Commerce. H. R. 15766. A bill granting the consent of Congress to the Arkansas State Highway Commission to maintain and operate, as constructed, a free highway bridge across Saline River near Kingsland, Ark., on State Highway No. 3, from Pine Bluff to Fordyce, Ark.; without amendment (Rept. No. 2347). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H. R. 15767. A bill to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near St. Francisville, Mo.; without amendment (Rept. No. 2348). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 15860. A bill granting the consent of Congress to the State of Illinois to construct, maintain, and operate a bridge across the Fox River east of Serena, in La Salle County, Ill., between sections 20 and 29, township 35 north, range 5 east, third principal meridian; without amendment (Rept. No. 2349). Referred to the House Calendar.

Mr. ROBINSON: Committee on Interstate and Foreign Commerce. H. R. 15861. A bill to extend the time for completing the construction of a bridge across the Mississippi River at or near the city of Lansing, Iowa; without amendment (Rept. No. 2350). Referred to the House Calendar.

Mr. WYANT: Committee on Interstate and Foreign Commerce. H. R. 15862. A bill granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Emlenton, Venango County, Pa.; without amendment (Rept. No. 2351). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H. R. 15869. A bill to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Rulo, Nebr.; with amendment (Rept. No. 2352). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 16033. A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Shawneetown, Gallatin

County, Ill., and a point opposite thereto in Union County, Ky.; with amendment (Rept. No. 2353). Referred to the House Calendar.

Mr. BURTNESS: Committee on Interstate and Foreign Commerce. H. R. 16113. A bill to extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near Hastings, Minn.; with amendment (Rept. No. 2354). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 16115. A bill granting the consent of Congress to the Panola-Quitman drainage district to construct, maintain, and operate a dam in Tallahatchie River; with amendment (Rept. No. 2355). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. H. R. 16155. A bill granting the consent of Congress to Louisville & Nashville Railroad Co. to construct, maintain, and operate a railroad bridge across the Tennessee River at or near Danville, Tenn.; with amendment (Rept. No. 2356). Referred to the House Calendar.

Mr. BRITTEN: Committee on Naval Affairs. S. 4750. An act to authorize alterations and repairs to certain naval vessels; without amendment (Rept. No. 2362). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOOPER: Committee on War Claims. S. 654. An act for the relief of certain persons formerly having interests in Baltimore and Harford Counties, Md.; without amendment (Rept. No. 2364). Referred to the Committee of the Whole House on the state of the Union.

Mr. BOWMAN: Committee on the District of Columbia. H. R. 15982. A bill to provide for the regulation of the business of making loans of \$300 or less in the District of Columbia, and for other purposes; with amendment (Rept. No. 2365). Referred to the Committee of the Whole House on the state of the Union.

Mr. FRENCH: Joint Committee on Pay and Allowances of Army, Navy, etc. A report on the readjustment of the pay and allowances of the commissioned personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service (Rept. No. 2366). Referred to the House Calendar.

Mr. McLEOD: Committee of the District of Columbia. H. R. 15619. A bill to amend the act providing for the acquisition of land in the District of Columbia; with amendment (Rept. No. 2367). Referred to the House Calendar.

Mr. STALKER: Committee on the District of Columbia. H. R. 16479. A bill to authorize the widening of Piney Branch Road NW. in the District of Columbia, and for other purposes; with amendment (Rept. No. 2368). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. KNUTSON: Committee on War Claims. S. 3088. An act for the relief of R. B. Miller; without amendment (Rept. No. 2357). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 5557. A bill for the relief of Emmett W. Southwick; with amendment (Rept. No. 2358). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 10646. A bill to extend the benefit of the United States employees' compensation act to Frank A. Smith; with amendment (Rept. No. 2359). Referred to the Committee of the Whole House.

Mr. SINCLAIR: Committee on War Claims. H. R. 10688. A bill for the relief of Bertha Hymes Sternfeld; without amendment (Rept. No. 2360). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 11479. A bill to extend the benefits of the United States employees' compensation act to the widow and minor children of James

P. Conway, deceased; without amendment (Rept. No. 2361). Referred to the Committee of the Whole House.

Mr. FITZGERALD: Committee on Claims. H. R. 16327. A bill for the relief of the Upson-Walton Co.; without amendment (Rept. No. 2363). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 15167) to authorize reinstatement of war-risk insurance of John D. Deardourff, deceased; Committee on Ways and Means discharged, and referred to the Committee on World War Veterans' Legislation.

A bill (H. R. 16461) granting a pension to Katherine Shaffer; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CRAIL: A bill (H. R. 16516) increasing pensions of widows of Indian war veterans; to the Committee on Pensions.

By Mr. KENDALL: A bill (H. R. 16517) to prohibit importation of products of convict and forced labor, to protect labor and industry in the United States, and for other purposes; to the Committee on Ways and Means.

By Mr. ZIHLMAN: A bill (H. R. 16518) to amend chapter 15 of the Code of Law for the District of Columbia; to the Committee on the District of Columbia.

By Mr. BRITTEN: A bill (H. R. 16519) to amend the act approved June 22, 1926, entitled "An act to amend that part of the act approved August 29, 1916, relative to retirement of captains, commanders, and lieutenant commanders of the line of the Navy," as amended by the act of March 4, 1929; to the Committee on Naval Affairs.

By Mr. BLAND: A bill (H. R. 16520) authorizing amendments to section 1 of Public Resolution No. 89, Seventy-first Congress, approved June 17, 1930, entitled "Joint resolution providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorktown, Va., and the surrender of Lord Cornwallis on October 19, 1781, and authorizing an appropriation to be used in connection with such celebration, and for other purposes"; to the Committee on the Library.

By Mr. HARE: A bill (H. R. 16521) for the relief of the State of South Carolina for damage to and destruction of roads and bridges by floods in 1928; to the Committee on Roads.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREW: A bill (H. R. 16522) for the relief of Frank O. Glover; to the Committee on Military Affairs.

By Mr. ARENTZ: A bill (H. R. 16523) for the relief of James W. Calderwood; to the Committee on the District of Columbia.

By Mr. ARNOLD: A bill (H. R. 16524) granting an increase of pension to Melissa E. Gibson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16525) granting an increase of pension to Permelia Reynolds; to the Committee on Invalid Pensions.

By Mr. BACHARACH: A bill (H. R. 16526) granting a pension to Adele Troutman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16527) granting an increase of pension to Florence L. Bright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16528) granting an increase of pension to Amanda Loper; to the Committee on Invalid Pensions.

By Mr. BUCKBEE: A bill (H. R. 16529) granting an increase of pension to Sabilla McDowell; to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 16530) for the relief of William B. Bouton; to the Committee on Military Affairs.

By Mr. CANFIELD: A bill (H. R. 16531) granting an increase of pension to Patsy Clark; to the Committee on Invalid Pensions.

By Mr. DAVENPORT: A bill (H. R. 16532) granting an increase of pension to Letty D. Kingsbury; to the Committee on Invalid Pensions.

By Mr. FINLEY: A bill (H. R. 16533) granting a pension to Tempie Ballard; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 16534) granting an increase of pension to Alice I. Crume; to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 16535) granting a pension to Hattie L. Ward; to the Committee on Invalid Pensions.

By Mr. GOLDSBOROUGH: A bill (H. R. 16536) granting a pension to Margaret R. Truitt; to the Committee on Pensions.

By Mr. GRIFFIN: A bill (H. R. 16537) for the relief of Gustav A. Ringelman; to the Committee on Naval Affairs.

By Mr. HOPKINS: A bill (H. R. 16538) granting a pension to Frank Kramer; to the Committee on Pensions.

By Mr. JOHNSON of Oklahoma: A bill (H. R. 16539) for the relief of Fanny M. Crosby; to the Committee on Claims.

By Mr. KURTZ: A bill (H. R. 16540) granting an increase of pension to Lucy S. Lumedue; to the Committee on Invalid Pensions.

By Mr. LUDLOW: A bill (H. R. 16541) granting an increase of pension to Helen Barnes; to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 16542) granting an increase of pension to Margaret Tobin; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 16543) granting a pension to John F. Julian; to the Committee on Pensions.

Also, a bill (H. R. 16544) granting a pension to Earnest H. Bays; to the Committee on Pensions.

Also, a bill (H. R. 16545) granting a pension to Nora Henley Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16546) granting an increase of pension to Hettie J. Porter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 16547) granting an increase of pension to Dudley J. Howell; to the Committee on Pensions.

Also, a bill (H. R. 16548) granting an increase of pension to James R. Campbell; to the Committee on Pensions.

Also, a bill (H. R. 16549) granting an increase of pension to Evan D. Lewis; to the Committee on Pensions.

Also, a bill (H. R. 16550) granting a pension to Dollie Baker; to the Committee on Invalid Pensions.

By Mr. SPEARING: A bill (H. R. 16551) granting an increase of pension to Marie E. Combe; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 16552) granting a pension to Henry Dodsworth; to the Committee on Pensions.

Also, a bill (H. R. 16553) granting an increase of pension to Clarissa Strait; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8797. Petition of Vivisection Investigation League (Inc.), of New York, and thousands of humanitarians, taxpayers, and dog owners asking the passage of House bill 7884; to the Committee on the District of Columbia.

8798. Petition of Federation of Citizens Associations of the District of Columbia, manifesting its interest in the early development of the national arboretum by urging the early passage of Senate bill 4586, authorizing additional appropriation for the national arboretum; to the Committee on Agriculture.

8799. Petition of American-Chinese Protection De Jure Association, urging the repeal or modification of the Chinese exclusion act; to the Committee on Foreign Affairs.

8800. By Mr. BACHMANN: Petition of Henry Kreis and other employees of the Continental Can Co. (Inc.), of Wheeling, W. Va., favoring the enactment of House bill 3493,

introduced by Representative PATMAN, of Texas, providing for the immediate payment of the full face value of veterans' adjusted-compensation certificates; to the Committee on Ways and Means.

8801. By Mr. BLANTON: Petition from the president, the secretary, and the legislative committee of the Chamber of Commerce of Brady, Tex., indorsing proposed legislation to direct farm-land banks to suspend foreclosures and providing redemption of farms already foreclosed; to the Committee on Banking and Currency.

8802. Also, petition of the James J. Goodfellow, jr., Post, No. 32, American Legion, by B. H. Murphy, adjutant, recommending that the Veterans' Bureau furnish its addressed envelopes carrying its postal permit to American Legion posts, for use in handling compensation correspondence for veterans; to the Committee on the Post Office and Post Roads.

8803. By Mr. BURDICK: Petition of residents of the first congressional district of Rhode Island, urging early consideration of House bill 7884, for the exemption of dogs from vivisection in the District of Columbia, at the request of the Vivisection Investigation League (Inc.); to the Committee on the District of Columbia.

8804. By Mr. CLAGUE: Resolution of Post No. 950, Veterans of Foreign Wars, Mankato, Minn., urging immediate payment of adjusted-service certificates; Post No. 1914, Veterans of Foreign Wars, St. James, Minn., urging immediate payment of adjusted-service certificates; Herbert Reese Post, No. 391, of the American Legion, Storden, Minn., urging immediate payment of adjusted-service certificates; and Albert Odegard Post, No. 401, of the American Legion, Jeffers, Minn., urging immediate payment of adjusted-service certificates; to the Committee on Ways and Means.

8805. By Mr. CLANCY: Petition of 100,000 signatures of citizens of Detroit, Mich., urging the immediate payment of veterans' adjusted-compensation certificates; to the Committee on Ways and Means.

8806. By Mr. GOLDSBOROUGH: Resolution adopted by Meuse Post, No. 194, Veterans of Foreign Wars, Salisbury, Md., favoring House bill 3493 for immediate payment to veterans of the face value of their adjusted-compensation certificates; to the Committee on Ways and Means.

8807. By Mr. HESS: Petition of various citizens of Cincinnati, Ohio, urging the passage of House bill 7884; to the Committee on the District of Columbia.

8808. By Mr. JAMES of North Carolina: Resolution by the stockholders of the Eureka National Farm Loan Association, Carthage, N. C., urging the passage of the Smith bill, S. 5106, providing for advances by Federal land banks to certain borrowers from such banks; to the Committee on Banking and Currency.

8809. By Mr. JAMES of Michigan: Petition of Peter Gedda Post, No. 27, of the American Legion, Bessemer, Mich., indorsing the passage of the Patman bill for immediate payment of the adjusted-service certificates by the United States Government; to the Committee on Ways and Means.

8810. By Mr. JOHNSON of Texas: Petition of A. B. Byrom and 28 other citizens of Corsicana, Tex., favoring legislation restricting Mexican immigration; to the Committee on Immigration and Naturalization.

8811. By Mr. KVALE: Petition of State Federation of Catholic Women's Societies of Minnesota (Minnesota section of National Catholic Women's Union) opposing passage of the Jones-Cooper maternity bill; to the Committee on Interstate and Foreign Commerce.

8812. Also, petition of 145 citizens of Glenwood, Minn., including members of their American Legion, Johnson-Roll-Dougherty Post, No. 187, submitted by Franklin P. Serrin, commander, calling attention to the present widespread distressing conditions and urging immediate action on legislation providing for payment of face value of adjusted-service certificates; to the Committee on Ways and Means.

8813. Also, petition of A. B. Post, American Legion, Hanley Falls, urging passage of Patman bill for immediate payment of adjusted-service certificates at face value; to the Committee on Ways and Means.

8814. Also, petition of the Carl K. Olson Post, No. 426, of the American Legion at Wendell, Minn., submitted by Peter Braaten, commander, unanimously urging legislation for the full payment of adjusted-service certificates; to the Committee on Ways and Means.

8815. By Mr. MCCLINTOCK of Ohio: Petition of Roy A. Gorman, Ada L. Brandon, J. W. Anderson, Mark O. Oliver, and others, asking immediate cash payment at their face value of the adjusted-compensation certificates; to the Committee on Ways and Means.

8816. By Mr. McCORMACK of Massachusetts: Petition of All-Dorchester Post, No. 154, American Legion, Commander Harold D. Patrician, 614 Dudley Street, Dorchester, Mass., unanimously recommending early and favorable action on pending legislation for immediate payment of face value of the adjusted-service certificates; to the Committee on Ways and Means.

8817. By Mr. PATMAN: Petition of Frank C. McCord and 1,000 other citizens and veterans of Cleveland, Ohio, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8818. Also, petition of Paul C. Wolman, commander in chief Veterans of Foreign Wars of the United States, and 700 other citizens and veterans of Baltimore, Md., presented through the United Veterans' Aid Association (Inc.), urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8819. Also, petition of W. W. Waters and 300 other citizens and veterans of Maryland, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8820. Also, petition of L. A. Ritchie and 1,000 other citizens and veterans of Washington, D. C., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8821. Also, petition of Charles Bailey and 1,850 other citizens and veterans of Newark, N. J., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8822. Also, petition of Mrs. L. Smith and 7,200 other citizens and veterans of Los Angeles, Calif., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8823. Also, petition of Ellen Gallagher and 950 other citizens and veterans of Philadelphia, Pa., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8824. Also, petition of E. R. Rimbeck and 600 other citizens and veterans of New Jersey, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8825. Also, petition of Mrs. J. L. Robins and 2,350 other citizens and veterans of Nashville, Tenn., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8826. Also, petition of Carmile Duytrehaever and 2,000 other citizens and veterans of Galveston, Tex., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8827. Also, petition of Mrs. V. Christopher and 3,500 other citizens and veterans of Houston, Tex., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8828. Also, petition of Edna Highfill and 1,250 other citizens and veterans of San Francisco, Calif., presented through the United Veterans' Aid Association, urging immediate pay-

ment of the adjusted-service certificates; to the Committee on Ways and Means.

8829. Also, petition of C. L. Williams and 1,300 other citizens and veterans of California, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8830. Also, petition of Mrs. E. L. Conoly and 300 other citizens and veterans of Texas, presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8831. Also, petition of Don Tinker and 2,000 other citizens and veterans of San Antonio, Tex., presented through the United Veterans' Aid Association, urging immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

8832. By Mr. SWANSON: Petition of Harvey B. Dorsey, F. W. Carlson, and others for the payment in full of adjusted-service compensation certificates; to the Committee on Ways and Means.

8833. By Mr. WAINWRIGHT: Petition of 69 citizens of Westchester County and Rockland County, favoring passage of House bill 7884 for the exemption of dogs from vivisection; to the Committee on the District of Columbia.

8834. By Mr. WYANT: Petition of Mrs. J. A. Snyder, president, Knoxville Branch Woman's Christian Temperance Union, Pittsburgh, Pa., urging support of House bill 9986, Hudson motion picture bill; to the Committee on Interstate and Foreign Commerce.

8835. Also, petition of Woman's Christian Temperance Union, of McKees Rocks, Pa., urging favorable consideration of Hudson motion picture bill, H. R. 9986, providing for better moving pictures; to the Committee on Interstate and Foreign Commerce.

8836. Also, petition of Woman's Christian Temperance Union, of Belle Vernon, Pa., urging favorable consideration of Hudson bill, providing for better motion pictures; to the Committee on Interstate and Foreign Commerce.

8837. Also, petition of N. E. Rhoades, J. P. Smithton, Pennsylvania, urging support of Sparks-Capper amendment to Constitution to cut out approximately 7,500,000 unnaturalized aliens and count only citizens in making new congressional apportionment; to the Committee on the Judiciary.

8838. Also, petition of committee on legislation of the Men's Association of the First Presbyterian Church, of Yonkers, N. Y. (numbering about 100 men), urging support of Hudson bill, H. R. 9986, regulating motion pictures; to the Committee on Interstate and Foreign Commerce.

SENATE

SATURDAY, JANUARY 24, 1931

(Legislative day of Wednesday, January 21, 1931)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

DISPOSITION OF USELESS PAPERS

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Navy, transmitting, pursuant to law, lists of papers on the files of the Navy Department which are no longer useful in the transaction of business and have no permanent value or historic interest, and asking for action looking toward their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. HALE and Mr. SWANSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a report embodying resolutions of the Federation of Citizens' Associations of the District of Columbia, favoring the prompt passage of the bill (S. 4586) authorizing additional appro-